

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

YUKON-KUSKOKWIM DELTA SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
JANUARY 27, 1994
9:00 A.M.
KVNA BUILDING
Bethel, Alaska

COUNCIL MEMBERS PRESENT:

HARRY O. WILDE, SR., CHAIRMAN
DAVID O. DAVID, VICE CHAIRMAN
PAUL MANUMIK, SR., SECRETARY
MOSES A. NICOLAI, MEMBER
PAUL JOHN, MEMBER
STEVEN WHITE, MEMBER
ANTONE K. ANVIL, MEMBER
HENRY L. NAPOLEON, MEMBER

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

John Andrew, Coordinator

2

Sam Alexie, Interpreter

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

P R O C E E D I N G S

1
2 MR. WILDE: (In Yup'ik) Everybody's --
3 everybody's settling down. The meeting's -- would be best if
4 we start now. The meeting is called to order. We'll have
5 invocation by Paul John.

6
7 MR. JOHN: (In Yup'ik) (Invocation)

8
9 MR. WILDE: Secretary is called to -- for roll
10 call to establish the quorum.

11
12 MR. MANUMIK: Harry Wilde?

13
14 MR. WILDE: Here.

15
16 MR. MANUMIK: Paul Manumik. Moses Nicolai?

17
18 MR. NICOLAI: Here.

19
20 MR. MANUMIK: Paul John?

21
22 MR. JOHN: Here.

23
24 MR. MANUMIK: Steven White?

25
26 MR. WHITE: Here.

27
28 MR. MANUMIK: David O. David?

29
30 MR. DAVID: Here.

31
32 MR. MANUMIK: Henry Napoleon?

33
34 MR. NAPOLEON: Here.

35
36 MR. MANUMIK: Zechariah C. Chaliak? Antone
37 Anvil?

38
39 MR. ANVIL: Here. All but one -- all but one
40 sent.

41
42 MR. WILDE: Quorum is established. (In Yup'ik)
43 Is there anyone who wasn't here yesterday when we started the
44 meeting up there?

45
46 MR. DAVID: (In Yup'ik)

47
48 MR. WILDE: Yeah. Henry Manumik -- Henry

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Napoleon just came in last -- yesterday, one of the Board members. In the audience here, is there anyone here that wasn't --? (In Yup'ik)

3

4

INTERPRETER: Yeah. I'm Sam Alexie. I'm the translator/interpreter. And I'll be interpreting for you today.

7

8

MR. WILDE: Welcome to our meeting. (In Yup'ik)

10

11

MR. DAVID: Frank.

12

13

MR. WILDE: Frank?

14

15

MR. DAVID: Frank Nicori, next to

16

17

MR. WILDE: Hello, Bro.

18

19

MR. NICORI: Oh, Frank Nicori from Kwethluk.

20

21

MR. WILDE: Welcome. Welcome to our meeting. Everybody's here and our agenda has been placed before us. We are going to review. First of all, we will review these proposals and public comment. And after lunch today, we will after lunch, the meeting will be opened for public meeting.

26

27

28

We will talk about proposal one.

29

30

MR. ANDREW: Mr. Chairman?

31

32

MR. WILDE: Uh-huh.

33

34

MR. ANDREW: Mr. Chairman, before we get into I would like to bring this up for -- before we discuss the proposals.

36

37

38

MR. WILDE: (In Yup'ik)

39

40

MR. ANDREW: Ee-ee.

41

42

MR. WILDE: (In Yup'ik)

43

44

MR. ANDREW: (In Yup'ik)

45

46

MR. WILDE: (In Yup'ik)

47

48

INTERPRETER: But they are reviewing agenda.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: We'll put it up there.

2
3 MR. ANDREW: Koyana.

4
5 MR. WILDE: Proposal to moose statewide.
6 Proposal 45. It's moose on the Lower Yukon. Proposal 46
7 concerning the moose at -- on Unit 18. 47, moose at Unit 18.
8 Proposal number 48, moose at Unit 18. Proposal 49, the wolf at
9 Unit 18. And the last proposal, number 50, ptarmigan, Unit 18.
10 Lunch 11:45 to 1:00. When we open at one, it will be open to
11 public meeting. And there's a question mark indicating that
12 they don't know what time they're going to quit. We will
13 convey (ph) this (indiscernible) recommendation, and if there's
14 another issue, -- and I'm trying to figure out, because I
15 didn't write down, what

16
17 MR. MANUMIK: (In Yup'ik)

18
19 MR. WILDE: Oh, there was the brown bear issue
20 that needs to be looked into. I didn't write it down.

21
22 MR. DAVID: (In Yup'ik)

23
24 MR. WILDE: If you'd put it on -- on that AVCP
25 issue, put down the brown bear, and then we'll have discussion
26 that.

27
28 Number seven is to establish date and location of the
29 next meeting, as to number -- we haven't had our meeting on the
30 Yukon. We just started. And as we close, there will be
31 benediction and then the adjournment. That is how the proposed
32 agenda is established today. If you want to make additions or
33 if you don't understand,

34
35 MR. DAVID: I so move.

36
37 MR. WILDE: now is the time to -- David
38 moved to accept the agenda as it.

39
40 MR. WHITE: Second.

41
42 MR. WILDE: Seconded by Steven White. Any
43 discussions? Question by -- all in favor say "Aye"?

44
45 ALL: Aye.

46
47 MR. WILDE: Opposed say the same sign? The
48 agenda is established.

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. MANUMIK: Mr. Chairman?

2
3 MR. WILDE: Yeah?

4
5 MR. MANUMIK: (In Yup'ik)

6
7 MR. WILDE: Yeah. There's a question the --
8 those two issues that AVCP and the brown bear, but they're
9 already included in the agenda.

10
11 Before we get into the -- before these proposals, our
12 coordinator will bring up

13
14 MR. ANDREW: This was supposed to be brought up
15 yesterday, but I guess he brought this update on the litigation
16 January 25, 1994.

17
18 "The most important subsistence litigation before the
19 U.S. District Court for Alaska is the consolidated cases of
20 Katie John versus United States of America, and State of Alaska
21 versus Bruce Babbitt, Secretary of the Interior. There are two
22 key parts to these cases. The first has been described by
23 Judge Holland as the "who" question. The second is described
24 as the "where" question. There have been recent developments
25 on each question.

26
27 INTERPRETER: And the "who" question is being
28 described, and also the "where" question.

29
30 MR. ANDREW: "The "who" question. The State of
31 Alaska contends that the Alaska National Interest Lands
32 Conservation Act does not give the Secretary of the Interior
33 authority to directly regulate the subsistence uses of fish and
34 wildlife on public lands. The Federal Government disagrees.
35 Judge Holland issued an order on November 19, 1993, that
36 indicated he was seriously considering the State's view that
37 the legislative history of ANILCA shows that Congress did not
38 intend the Federal Government to directly manage subsistence.
39 He also stated the court's concern that this matter had not
40 been adequately briefed. He ordered supplemental briefings on
41 this issue. These briefings were scheduled to have been filed
42 mid January. The matter is now before Judge Holland for his
43 consideration and decision.

44
45 "The "where" question. This question concerns whether
46 navigable waters are considered to be public lands as defined
47 by ANILCA. If they are, the subsistence priority found in
48 Title VIII would apply to navigable waters. The Federal and

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Sate government position has been that because the title to the lands underlying navigable waters generally belongs to the State, the navigable waters are not considered as public lands. Katie John and other plaintiffs disagree, and believe that Congress intended for the subsistence priority to include navigable waters.

6

"Judge Holland issued an order from chambers on January 23, 1994, scheduling oral arguments on this issue for February 9, 1994. He included a proposed order for the attorneys to review, based on the court's initial evaluation of the issues. He has not yet made a decision on this case. His proposed order provides insights as to what Judge Holland is considering. If he were to issue this order as proposed, it would have major implications for subsistence management. The proposed order concludes that all navigable waters and coastal waters within the three-mile territorial limit would be considered public lands for the purposes of ANILCA's subsistence priority. The Federal government has not yet established a position on how it would respond to such an order from the court."

21

INTERPRETER: And also, if you have that update on subsistence litigation, January 25, 1994, John Andrew is translating the main ideas of that -- of the update, so if you have it in front of you, you could just read it and follow it. He's on the last paragraph.

27

MR. WILDE: You have just received the information on update on subsistence litigation, and so just for -- and nothing has yet been established.

31

MR. MANUMIK: I'd like to make an addition to that everyone becomes established, the State wanted to take over, and everybody has to follow, and when become -- when it when the ruling is established, it will be given to the people after it becomes established.

37

MR. WILDE: (In Yup'ik)

39

MR. ANDREW: The State is fighting this litigation, and -- but because this is not the final issue, if you have any concerns -- but if it's finally settled, I know that there will be more jobs. It's not going to be easy.

44

MR. ANVIL: Mr. Chairman, this is just information -- Mr. Chairman, this is for information purposes only, but I would like that we -- this information and -- be brought up again in our next meeting for further discussion.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Thank you.

1
2 MR. WILDE: Okay. Anything else? If there's
nobody to voice their opinions, we'll move onto proposals.
Proposal one, furbearers statewide. Who's going to --
proposal? John, are you going to handle this?

6
7 MR. ANDREW: (In Yup'ik)

8
9 MR. WILDE: Proposal (in Yup'ik)

10
11 MR. ANDREW: Yeah.

12
13 MR. WILDE: On these proposals, submitted by
Alaska Department of Fish and Game. This is concerning
furbearers statewide.

16
17 MR. ANDREW: Proposal number one is -- concerns
taking or assisting in the taking of furbearers by firearm
before 3:00 a.m. on the day following the day on which airborne
travel occurred. And this doesn't -- however, this does not
apply to a trapper using firearm to dispatch furbearers caught
in a trap. The proposal for regulation change covering taking
or assisting -- assisting in the taking of a wolverine by
firearm before 3:00 a.m. on the day following the day on which
travel occurred; however, this does not apply to a trapper
using a firearm to dispatch a wolverine caught in a trap or
snare, or taking an arctic fox, red fox, coyote, wolf, or lynx
if a person is over 300 feet from the airplane at the time of
taking.

30
31 The reason for changing the regulation, the Alaska
Board of Game changed the State regulation concerning this
aspect of airborne action in tracking -- in trapping in June,
1993. The Federal and State regulations should be kept
identical to prevent public confusion. Trappers often use
airplanes to access their traplines in remote areas, but do not
use aircraft specifically to observe and take an individual
animal.

39
40 This proposal applied to statewide, because it does not
really concern us, because we don't use airplanes. These --
this airplane is usually used around the areas where there's a
lot of bushes and trees and there were a lot of different
comments toward this. There were pros and cons. The National
Park Service is -- did not agree with the proposal, and around
the Upper Tanana area, they didn't want this proposal. And
Alaska Wildlife Alliance did not agree with this proposal.
This proposal had a lot of comments from those other different

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

organizations.

1

2

MR. WILDE: (In Yup'ik) I would like to hear a response from the Federal side, because this is a State proposal.

5

6

MR. BRELSFORD: Thank you very much, Mr. Chairman. We had actually prepared some of the staff comments. The information that we were able to put together on proposal one is included in your packages under the title "Staff Analysis". The staff that have worked together on these papers is here to answer questions, if you might want to go into more detail on some topics, or if you'd like, there was one person who was the lead on each proposal, and that person could provide an overview. So it would be up to you. If you want to have us answer questions, we

16

17

MR. WILDE: We would like to get the full information, because we've got some -- some of the Council don't understand what's in there. Okay?

20

21

MR. BRELSFORD: Very well. I think in that case Andy Aderman, a wildlife biologist with the Federal Subsistence Program, had worked kind of hard on this proposal, and maybe you could highlight some of the main points in the staff analysis for the Council?

26

27

MR. ADERMAN: The Alaska Department of Fish and Game would like the Federal Subsistence Board to make the regulation the same as the State's. This would allow a person to take certain furbearers, a wolf, a lynx, foxes or coyote on the same day that they have flown in an airplane.

32

33

The staff analysis, we looked at it and have basically come up -- we struggled with this issue of allowing same day airborne take or not allowing same day airborne take, and we felt that it would be up to the people, what they thought. If you accept this proposal, you are saying, "We would like to be able to take animals the same day we have flown in an airplane." If you do not accept this proposal, you are saying, "No, we do not like the concept of taking animals the same day we have flown in an airplane."

42

43

MR. WILDE: May I ask -- May I ask you a question?

45

46

MR. ADERMAN: Sure.

47

48

MR. WILDE: Why is it before 3:00 a.m.? I

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

thought that used to be after 24 hours or 12 hours before? If you land in a -- by airplane?

2

3 MR. ADERMAN: Right.

4

5 MR. WILDE: Why is the change? 3:00 a.m.? Why is a certain day -- a certain hour? Randy?

7

8 MR. KACYON: If I may, Mr. Chairman? I'm with the State of Alaska, Subsistence Unit.

10

11 COURT REPORTER: You'll have to come closer, Sir.

13

14 MR. KACYON: Okay.

15

16 MR. WILDE: You come over, sit with us over here.

18

19 MR. KACYON: Okay. Let me grab my notes. Andy is correct in that the State would like to see the regulations the same, but the other reason is because for a long time, in the Interior especially of Alaska, there's a lot of trappers that use aircraft to access their traplines, because they don't have roads. There's even people I know from Kwethluk that will fly up to Hardlick to go squirrel trapping, and they use an aircraft. This allows that person, after they get to their camp or their trapline, to dispatch a fox, or a wolf, or a silverline, or a lynx, or whatever they caught to take that animal the same day they flew in, rather than waiting until 3000 a.m. The old regulation used to state that you had to wait until 3:00 a.m. the next morning before you could check your -- or kill a furbearer, if you flew in. This allows trappers and hunters to land their aircraft and go fox hunting or whatever the same day they land, rather than waiting until 3500 a.m. the next day. That's -- that was the change that was made.

37

38 Apparently the Board felt that there must have been some sort of hardship to trappers using aircraft, because they had to wait until the next day, or hunters using aircraft. Since there was no biological concern for some of these furbearer species, like fox and wolverines and lynx and wolves, the Board felt that allowing someone to go out and land his airplanes on skis out on the tundra somewhere and sees a fox, there's no reason why he can't shoot that fox. He doesn't have to wait until the next day. That's why that regulation is changed. I hope that

48

49

50

R & R COURT REPORTERS

810 N STREET
272-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. ANVIL: That fox will run away the next
2 day. You won't see it the next day.

3 MR. KACYON: You're probably right.

4 MR. MANUMIK: Mr. Chairman?

5 MR. ANVIL: That's

6 MR. MANUMIK: I noticed there's a 300 feet
7 distance you have to be. The old law was 100 feet?

8 MR. ADERMAN: 100, that is correct.

9 MR. MANUMIK: And they want to change that from
10 100 to 300 feet? Are you in -- are you in agreement with that
11 ruling or that request?

12 MR. ADERMAN: I would -- I would say myself
13 that 100 feet or 300 feet is probably immaterial. I think the
14 idea is they don't want people shooting right out of the plane.

15 MR. MANUMIK: Uh-huh.

16 MR. ADERMAN: And if you have to get out of the
17 plane and go 100 feet or 300 feet -- I guess 300 feet would
18 make it more difficult to take an animal after you have stopped
19 and get out, and maybe put on your snowshoes or whatever. I
20 think that the thing is to get the person away from the

21 MR. MANUMIK: From the airplane.

22 MR. ADERMAN: from the airplane.

23 MR. KACYON: You see, there's a regulation in
24 place called you can't harass animals in motorized vehicles,
25 and airplanes are another method of motorized vehicle. So the
26 300 feet was put in there as a reasonable distance for someone
27 to have to go to shoot an animal. You couldn't just jump out
28 of the airplane so to speak and, you know, shoot the animal.
29 You have to be -- you had to be at least 100 yards or 300 feet
30 away from the aircraft. There's a lot of people in the
31 interior, I don't know about much around here, I know there's a
32 few people around here that do it with ski planes. They will
33 go out and hunt fox and wolves upriver. But it's -- they want
34 to make it statewide so that people everywhere in the State,
35 you know, they wouldn't have to decide, "Well, which Game
36 Management Unit am I in now? Can I -- can I hunt the same day
37 I landed or not?" This just makes -- simplifies the

38
39
40

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

regulations a little bit.

1

2

MR. WILDE: (In Yup'ik)

3

4

MR. ANVIL: Mr. Chairman?

5

6

MR. WILDE: Yeah, go ahead.

7

8

MR. ANVIL: Does this mean that if we accept this proposal one that we won't have -- we won't have to wait next day to go -- to kill the game that we're after?

11

12

MR. KACYON: Not big game, just furbearers.

13

14

MR. ANVIL: Oh, just the bears.

15

16

MR. KACYON: Furbearers.

17

18

MR. ANVIL: Furbearers.

19

20

MR. KACYON: Like fox, lynx, wolverine.

21

22

MR. ADERMAN: Not the wolverine though.

23

24

MR. KACYON: Not wolverine. Okay.

25

26

MR. ADERMAN: Wolverines are

27

28

MR. ANVIL: I was thinking about moose hunting,

29

30

31

MR. ADERMAN: No.

32

33

MR. ANVIL: No? Okay.

34

35

MR. ADERMAN: I would -- I would also like to point out that there is some concern about abuses in the past, that people have harassed an animal, like a wolf, chased it and made it exhausted, and some people feel that even with the 300 feet, you know, you could -- you could chase this wolf, or another animal, get it tired out, get out of the plane 300 feet and then take it. There is some concern with that. It has happened in the past in some areas. But that is already breaking another regulation by harassing that animal.

44

45

MR. DAVID: Mr. Chairman?

46

47

MR. WILDE: Yeah?

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. DAVID: Mr. Chairman, before -- The question is -- the question is, before this proposal came up, was there a time when people can land and then wait next day to hunt the furbearers? I mean, the fur -- the fur animals. Was that how the proposal was before this?

5

6 MR. ADERMAN: Before this time, you could take most furbearers the same day that you flew in an airplane. There were some exceptions, mainly with wolves. There were certain restrictions where you could not take a wolf the same day, and it depended on whether you were hunting or trapping, because the State classified the wolf as a big game animal, and also as a furbearer. And under hunting where it was a big game animal, you could not at certain times take a wolf, but under trapping you could. And then it has changed over time, and you could take it under a hunting license in certain areas at certain times, but not under a trapping license.

17

18 MR. DAVID: That was then?

19

20 MR. ADERMAN: That's in the past, yes. I could get specific dates on that if you want. It would

22

23 MR. DAVID: And with this, you'd be able to go out and still -- and go ahead and do our -- do our hunting the same day or the same hour that you're -- that you land your plane?

27

28 MR. ADERMAN: If this -- if the Board passed this proposal as it is, you could take Arctic fox, red fox, lynx, coyotes and wolves.

31

32 MR. DAVID: And wolverine?

33

34 MR. ADERMAN: Not wolverine.

35

36 MR. DAVID: Why? Wolverine is not as big as -- it's not wolf -- it's not as big as a wolf. It's got to be entered in there -- in there, too. In there.

39

40 MR. ADERMAN: There is -- there is concern in several areas of the State. The wolverine population is down. Wolverine as I understand is an animal that is out in the open, and it can be readily taken by somebody flying in an airplane. And it makes the wolverine more vulnerable, and so there is concern that if you would -- if we allow them to take the same day airborne of wolverines, that might further depress the populations in the areas where they are already low.

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: (In Yup'ik)

MR. JOHN: Mr. Chairman?

MR. WILDE: Yes?

MR. JOHN: The proposal that covers the statewide, I do not accept, because some people -- some people say how come -- how come these proposals come up before they get us know. The second one, the shareholders in the -- in the corporation land, nobody, just anybody is not permitted to use it for the land use. Also, these furbearers -- and these furbearers do not live in the same area all the time. The -- like that Frank (ph) says, there's no wolf in the places where there's no moose or trees. And, there's no -- there's no moose where there's just flat land.

MR. WILDE: Could someone respond? Yes, that covered -- this proposal covers the statewide. Is there any response to Paul? Someone make a response? State?

MR. ADERMAN: The proposal is again asking to make the federal regulations the same as the state regulations that are already in place. You can by state regulation take these animals that we've talked about, the foxes, the coyote, the lynx, and the wolf, on the same day you have flown. And the State is asking to make the federal regulations the same as theirs. And this applies statewide, all over the state for all those species where they occur.

MR. WILDE: (In Yup'ik)

MR. JOHN: Ee-ee.

MR. WILDE: Can I say something? Yeah. Okay. I think I'm going to respond to our -- what you're saying. I just request from this Board if I could say something else -- at least say something.

I think this Board, this Council, what they going to do, and I think what they were saying, that -- the way I understand. They are afraid of, as usual, has been done before, State make a regulation without concern of the people. That's what they are afraid of right now. They're afraid of that Federal and State, if we go with the State right now, are people going to start fighting, you know, start trouble. Big issues. Like they're having right now in Kuskokwim/Yukon, driver, what the State start having problems. And I think that's a problem that's going to be. And I think this Council,

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

that our elders here that, you know, mostly we follow our
 elders concerning subsistence and some things that people could
 use -- our people could use, especially things that has been used
 from my generation down. That's all I've got to say.

4

5

MR. DAVID: Mr. Chairman?

6

7

MR. WILDE: Yeah?

8

9

MR. DAVID: Both of you State and Federal
 people, you know very well none of these people here, the
 Council here, owns an airplane. You know that very well. Why?
 Because we are -- we don't have enough paycheck coming in --
 coming to us each month that we could -- that we could depend
 on. We depend on what we can get. And the people that are
 going to be flying to the areas are your people. And this
 applies to your people. We have our own regulations and laws
 that were passed down from our fathers. We don't have to abide
 by State and Federal rule and regulation if we don't need to,
 if we -- if we are out for subsistence, it's open. We can get
 what we can when it's there, because the species -- whatever
 you're after is going -- once it leaves, it's going to leave.
 You're not -- you probably won't see it again.

23

24

But this, as far -- in this case, you're -- you ought
 to rely on your own people who own aircraft, snow machines and
 all the -- all the things that the -- that your money can buy.
 So when this -- this proposal here as far as I'm concerned is
 only -- it only applies to your people who have money to --
 have enough money to buy airplanes, snow machines, whatever
 vehicle they could -- that they can buy. And if you are going
 to tell -- have us -- you tell us what to do, and I think it's
 about time us original people of this land in turn tell you how
 what not to get and what to get. The people that are --
 that are out hunting or trapping, your people, they didn't --
 they really don't have to go out, because they already have
 money stored up in the bank, and we don't. We have got to
 depend on what we can get, so in this case -- I don't -- I
 personally wouldn't support this -- support this proposal here,
 because, 3:00 o'clock in the morning, it's too dark to shoot
 anything anyway.

41

42

And if you're going to leave out wolverine, which is
 smaller than wolf, I think this proposal here is not any good,
 then there -- even if what you said there is true, which I
 don't know, we have no wolverines in our area. I really
 shouldn't have anything to share about this, because we do have
 red foxes and arctic fox, and you're not going to tell me when
 to go -- when to go out and when not to go out, because,

49

50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

remember, you've got to keep in mind that I am different people than you. We cannot be played around with. We are human beings like you. We're no -- we're no dogs, we're no animals. We're the -- we can't be talked to, "do this and that," any more. You already have played with us long enough. So you -- So you in turn, I think it's about time you in turn listen to our people who are original people of the land. Thank you.

MR. WILDE: Is it possible to get the state regulation if it's already in the state regulation? I mean, something like that we should -- we should -- this Board, this Council should have the state regulation if it's already in the state regulation.

MR. ADERMAN: Mr. Chairman?

MR. WILDE: Yeah?

MR. ADERMAN: The State Board of Game, as I understand it, made this 300 foot regulation and included the wolf in with the others that could be taken on the same day that a person flew, they made this regulation in June of this year, and it will not be in the State's regulations, but it is current, and can be done right now.

MR. WILDE: Yes.

MR. ADERMAN: And it is as the proposal is in the -- in the book.

MR. WILDE: Yeah. Okay.

MR. ADERMAN: That is the State's regulation.

MR. WILDE: The next time if you guys want to present something from the State to this Council, we need to have

MR. DAVID: The original.

MR. WILDE: the original paper right there like that. If it's been approved by the Board of the State Board of Game. Game Board. Whatever.

MR. BRELSFORD: Mr. Chairman?

MR. KACYON: Basically, Harry, the regulation that's in place under State law is the -- under the title proposal for regulation change.

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. COFFING: On page three.

2
3 MR. KACYON: On page three. So that is the
4 regulation.

5
6 One thing I think we missed also was that another
7 reason that they proposed this is so someone using an aircraft
8 to take a furbearer wouldn't have to worry whether they were on
9 state land or federal land. They could do it on any land
10 jurisdiction. The way it is right now, under state law, you
11 can take a furbearer of these species on state jurisdiction
12 land, but you can't under federal land, is that correct?

13
14 MR. DAVID: Mr. Chairman? On page three, all I
15 see here is the proposed regulation, proposal for regulation
16 change and reason for it. I don't see the original regulation
17 as it was written before, before any proposal. That's what I'd
18 like to see, what was -- how was it written before any proposal
19 was presented?

20
21 MR. BRELSFORD: Mr. Chairman, there are some
22 requirements about how we name the regulation, but the existing
23 federal regulation is at the top of page three where it says
24 "1994-95 Proposed Regulation." That's the way the federal
25 regulation reads this year, and it's going to follow on next
26 year, unless you make a change. Unless the Board makes a
27 change. So that's the existing federal regulation up at the
28 top there. The change that the State has come in and
29 suggested, they're asking for a change. They want it changed
30 so that the federal regulation would look like what is now the
31 state regulation, so the state reg is in this second paragraph
32 with the little bit of shading. That's what the state
33 regulation looks like now, and they want the federal regulation
34 to be the same. So our titles, our headings here are a little
35 bit confusing, but the top one is the existing federal
36 regulation. The middle one, the next paragraph down, is the
37 existing state regulation. They want the federal regulation to
38 come along side, to be just the same.

39
40 I think we are trying to provide the basic information
41 each time. Maybe we have a little bit to learn about how to --
42 about the titles that ought to be on there.

43
44 MR. DAVID: Mr. Chairman, so if -- in this --
45 that case, the proposal for regulation change is the one
46 that was regulated by the State

47
48 MR. BRELSFORD: Right.

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. DAVID: before?
2
3 MR. BRELSFORD: Recently, yes.
4
5 MR. DAVID: So it -- both federal and the state
6 are written here?
7
8 MR. BRELSFORD: Correct.
9
10 MR. DAVID: But you've got the names or
11 whatever you've got there, it's
12
13 MR. BRELSFORD: The titles are funny.
14
15 MR. DAVID: Yeah. That's what -- that's what
16 got me. Thank you.
17
18 MR. WILDE: (In Yup'ik)
19
20 MR. DAVID: (In Yup'ik)
21
22 MR. WILDE: (In Yup'ik)
23
24 MR. NICOLAI: Let me comment, and I would like
25 make a comment on taking or assisting of furbearers by
26 firearm before -- I do not like -- I have a hunting site, I
27 have a trapline, and if I -- and if a person takes -- and then
28 take off by snowshoe and checking on my traps, and if a plane
29 lands 300 feet away from my trapline, and I'm on my own with my
30 snowshoes, and then if they land around my trapline, it -- that
31 the plane lands around my trapline area and take the game, and
32 then take the fur 300 feet away from my trapline, which would
33 probably have been caught by my traps, this guy's not sweating,
34 but vice versa. I'm on my -- I'm on my snowshoes sweating.
35 You all know, those of you who try to make a living by catching
36 fur, that it's not easy. To go my -- to go by snow machine or
37 dog sled. I think these -- that the -- if the proposals,
38 regulations should become identical, I'm not for that. For
39 those -- to those of us who don't have jobs, it's easy for
40 people who have jobs, and it's a lot of fun to take off by
41 airplane and catch those furs. I think we should take a good
42 hard look at this proposed -- proposed regulation change. We
43 have to dissect it, break it down and look at it, and look at
44 the other people up at the Yukon area. Those people and the --
45 and the coastal people who try to catch their game by walking,
46 and sometimes go through blizzard trying to get their game.
47 Are we going to accept this that these people are going to fly,
48 and, and take the game? And even possibly by our traplines.
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

You people, you know your own people. We have traplines in this area, Yukon, and then in the coastal area, and all the people have these traplines, whether it's the white or Yup'ik, and there are even white men, yes, trying to make a living out getting the fur. They don't have a lot of money. I could -- Some go by dog sled like us trying to get the fur. Yes, I would think those people, even those white men who live -- make a living off the land, it would -- they would not go with those proposals. Yes, these people try to live off the land and use the fur to meet their needs. Therefore, I think -- I think we should go to the root of this proposal and see what it really means, and you people who are here, I think you have a lot to say who have been sitting there saying nothing.

13

14

MR. WILDE: Yeah?

15

16

MR. AFCAN: Thank you, Mr. Chairman. This proposal, page -- on this page four, the effective proposed change in wildlife population on arctic fox, red fox, coyote, wolf and lynx are sufficiently expanded to allow the extra take possible under this regulation. And it also -- the effective proposed change on subsistence users, the change will provide additional subsistence opportunity for trappers. This effect the effect on proposed change does not cover the subsistence the, just the trappers.

25

26

MR. NAPOLEON: Yes, Mr. Chairman?

27

28

MR. WILDE: Henry?

29

30

MR. NAPOLEON: I would like to ask Mr. Aderman if snow machines -- usually when you go out fox hunting or hunting furbearing animals out in the villages, they use snow machines. We cannot afford aircrafts. And right here it mentions aircrafts. Well, when it mentions aircrafts pertaining to subsistence, it sounds like it's more like big game hunting, because subsistence to us means that it's for survival. To hunt, to fish, to -- on furbearing animals to survive, not for game hunting, or for fun. Okay. You mentioned the aircrafts. To hunt any furbearing animals or to trap hunt with the aircrafts, it's more like why would -- why would he need to go trapping if he has an aircraft? You know, aircrafts are very expensive. They cost thousands of dollars. And it says here "subsistence". Then it mentions aircrafts. Why would a person with an aircraft want to subsist? Everybody knows aircrafts cost money. So if they include aircrafts into the subsistence regulations, we all know that we cannot afford aircrafts. We have snow machines.

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Okay. If a person went out hunting, like hunting foxes, wolves or any furbearing animal with a snow machine, most of the time they go out, they don't chase them by foot, they chase them by snow machines. Would you call -- well, it says here about 300 feet. Well, they usually chase foxes by snow machines, and sometimes they run over them. And we all know that fox are pretty crafty and they're pretty fast. But sometime we'll use guns instead of traps. They speed and they shoot them about maybe 20 feet. Would that be going against the regulations of the State or the Federal?

10

11 MR. ADERMAN: I would pass that on to

12

13 MR. KACYON: It's illegal under state and federal law to harass animals with motorized vehicles.

15

16 MR. NAPOLEON: Well, that would be harassment then?

18

19 MR. KACYON: You would have to turn the snow machine off, and get off and shoot the animal to be legal.

21

22 MR. NAPOLEON: That would be illegal then. Go by snow machines, like maybe 20, 50 feet, that would be going against regulations?

25

26 MR. KACYON: It wouldn't be going against the regulations if you were off the snow machine. But one thing you missed, too, Henry, is that under federal subsistence laws, people are allowed -- aircraft is an allowable methods and means to get to subsistence hunting grounds. There are some subsistence hunters that do use aircraft. It's probably a very small minority, but there are people that do use aircraft.

33

34 MR. NAPOLEON: Thank you.

35

36 MR. WILDE: I think we understand, but I'm going to ask Council, do you have any more towards this -- Do you have any comments or do you understand what this proposal is asking for? If you still don't understand, you are given this opportunity to understand it. Even if we sound like we're repeating ourself, I want you to really understand what this proposal is about, because it also pertains to our people. If you understand it, -- if you understand what this proposal is, you can do this -- you can make -- you can make a motion to accept this and support it, or you can reject it, or you cannot. If you can have no action toward this. If you understand this, it would

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 proposal
2
3 MR. WHITE: Mr. Chairman, I so move
4
5 MR. WILDE: (In Yup'ik)
6
7 MR. WHITE: Proposal Number One, (In Yup'ik)
8 Department of Fish and Game, no action.
9
10 MR. WILDE: Steven White moved to -- that we do
11 not -- have no action toward proposal number one. Is there any
12 second?
13
14 MR. NICOLAI: Second.
15
16 MR. WILDE: Yeah.
17
18 INTERPRETER: Seconded by Moses Nicolai.
19
20 MR. WILDE: Seconded by Moses Nicolai.
21 Discussions? Any discussion?
22
23 MR. WHITE: Mr. Chairman, we have come together
24 a committee to work on the subsistence activities, and now
25 this is coming up concerning a trapper. That is the reason why
26 I wanted -- I didn't want any action toward this.
27
28 MR. WILDE: Go ahead.
29
30 MR. MANUMIK: I have two reasons. I would like
31 ask
32
33 MR. WILDE: Paul?
34
35 MR. MANUMIK: Yeah?
36
37 MR. WILDE: (In Yup'ik) You could still talk
38 about it. Go ahead. Go ahead, you could talk about it.
39
40 MR. MANUMIK: I'm for -- I'm -- if we don't
41 touch this, if we don't make any actions towards, we are going
42 still going to be under the state regulation.
43
44 MR. WILDE: As I said, if we take action on
45 this -- or if we don't take action on this, there will be
46 nothing changed. We did not take any action on this. We are
47 not for the proposal, nor we are not against the proposal, but
48 you have moved that no action be taken on this proposal.
49
50 MR. MANUMIK: I asked this -- I asked this

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

question, because it has been brought up that there are times when these furbearers are chased until they're exhausted. And this has been brought up, because there were increased number of people who are using the motorized vehicles, like an airplane, and chase the game, and -- and because it mentioned that the -- the reason for changing the regulation is if federal and state regulations should be kept identical to prevent public confusion. I don't feel comfortable, that's why I brought this up, because there might be more incidences on people chases these games until they're exhausted to catch them. That's the reason why I brought up my concern.

11

12 Second question, if they -- if they would still hunt by the airplane, I think we should limit the number of catches. That is just a concern that I have.

15

16 MR. WILDE: There's (in Yup'ik): support, oppose, take no action. There were three aspects to making that motion: support it, against it, or no reason.

19

20 MR. WHITE: I'll withdraw my motion after -- I do move towards this proposal being against, because there is different agencies working with the federal people that

23

24 MR. WILDE: Yeah. The reason that we spend on this, I think it's very important for our Council to understand a proposal. Like right now that the person that -- one of the Council make a motion to take no action. That take no action, that's what is not -- he's not thinking about. He's thinking about was for -- all this time is opposing this proposal.

30

31 MR. BRELSFORD: Mr. Chairman, I apologize for interrupting as you've moved forward to the decisions, but Gavin Frost has asked me to remind -- to mention again that in April when the Federal Board is meeting, this proposal will be here on the table, and you will be there, along with the Council presidents from the other regions, and the Board will stop and ask each Regional Council president, one after the other, for their opinion, for their Council's recommendation, so there may be some expectation that your Council have a recommendation for it or against it. It may be a little bit difficult to say, "Well, we have no action, we had no recommendation." There may be some expectation for each Council to offer an opinion, a recommendation on this particular statewide proposal. So in April, you'll be seated here, and they'll ask you

46

47 MR. WILDE: Yeah.

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. BRELSFORD: during the meeting.
2 MR. WILDE: Right now they take their motion
3 out. They are opposing it now.
4
5 MR. BRELSFORD: Okay.
6
7 MR. WILDE: There have been a motion withdrawn
8 from no action to a motion made to be against the motion.
9
10 MR. NICOLAI: I seconded it 'cause there -- on
11 the first motion that -- to the first motion maker withdraw his
12 first motion. On the second motion, I second it.
13
14 MR. WILDE: Any more discussion?
15
16 MR. NICOLAI: Question.
17
18 MR. WILDE: The question has been called.
19
20 MR. MANUMIK: This motion made by Steven White
21 to be against this proposal number one, seconded by Moses
22 Nicolai. Roll call vote. Moses White -- Moses Nicolai, I'm
23 sorry.
24
25 MR. NICOLAI: Yes.
26
27 MR. MANUMIK: Paul John?
28
29 MR. JOHN: Yes.
30
31 MR. MANUMIK: Steven White?
32
33 MR. WHITE: Yes.
34
35 MR. MANUMIK: Henry Napoleon?
36
37 MR. NAPOLEON: Yes.
38
39 MR. MANUMIK: Chuck Chaliak (in Yup'ik).
40 Antone Anvil?
41
42 MR. ANVIL: Yes.
43
44 MR. MANUMIK: Paul Manumik? Yes. David O.
45 David?
46
47 MR. DAVID: Yes.
48
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. MANUMIK: Harry Wilde?
2 MR. WILDE: Yes.
3
4 MR. MANUMIK: We have eight yes and one absent.
5 Proposal fails.
6
7 MR. WILDE: Yeah?
8
9 MR. FROST: Mr. Chairman, if I might just offer
10 suggestion? I think that many of the Council members have
11 identified why they would oppose this particular
12
13 MR. WILDE: Okay. We're -- there's some
14 explanation why we're proposing this. In the first place, our
15 people out there didn't know nothing about this proposal, okay?
16 It wasn't notify -- our people was not notified concerning
17 this proposals. That's the problem we've been facing ever
18 since -- ever since I born.
19
20 MR. FROST: I'm not disagreeing with you, sir.
21
22 MR. WILDE: Yeah. Yeah. That's
23
24 MR. FROST: All I was
25
26 MR. WILDE: that's why we're proposing
27 That's one of the explanations why we're proposing.
28
29 MR. FROST: That's all I was going to say, is
30 that you want to make clear exactly -- for example, Mr. David
31 made very clear that nobody around here flies airplanes, and
32 for that reason, he is opposing. And, see, when the Board
33 members oppose and they say, "No, we don't like this," if the
34 Board -- the Council members can explain when they say no, why
35 they are saying no, it will help the Board when they review
36 this. They'll say, "All right. Mr. Wilde voted no, because
37 nobody flies airplanes, and Mr. David voted no, because nobody
38 flies airplanes," or "Mr. Wilde voted no, because nobody had
39 the opportunity to review this." I'm not -- I'm not saying
40 what you're doing here is wrong or right. That's not my
41 position. What I'm saying is, make it very clear on your
42 record why you are voting the way you are voting. Then the
43 Board can understand why you are voting that way. Is that --
44 Am I clear? I wasn't -- I wasn't saying one thing one way or
45 the other, don't me wrong. I'm not telling you how to -- how
46 do it. I'm just saying that you want to make it very clear
47 why you are voting a particular way.
48
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: Yeah, we do understand.

MR. FROST: Okay.

MR. JOHN: Mr. Chairman?

MR. WILDE: Yeah.

MR. JOHN: The person that makes a comment knows that -- how to make a living and make money. I agree with you, because we have different aspects about our village. I know how to make a living off land, and I agree with you on our voting, because we have two different aspects of making a livelihood. That person know how to make money, and I don't.

MR. WILDE: Yes, I think that we'll have a ten-minute break.

(Off record)

(On record)

MR. WILDE: (In Yup'ik)

INTERPRETER: (In Yup'ik)

MR. WILDE: After we work on Proposal Two, we have a lunch break and come back and work at 1:00 o'clock. We are moving on a very slow pace. Proposal two. Whoever -- whoever drafted proposal two is going to talk go us about it. Submitted by Alaska Department of Fish and Game. We would like to hear from the State.

MR. ADERMAN: Would you like to hear from the State or from?

MR. WILDE: The State. The State. Whoever that submit the various units, wolf. Come on, Randy.

MR. KACYON: I didn't submit this, but the Department submitted it. I don't want -- I don't want you to confuse me with the person that submitted it, but the Department submitted.

It just -- it's similar to number one. They want to try and -- try to align the federal regulations with the state regulations. Back in June of '93, the State of Alaska took up furbearers on their Board of Game agenda, and this is one of those, another furbearer proposal, and it talks about wolf.

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Wolf hunting. And they tried to make the regulations less confusing by having the bag limits for wolves similar in most of the units. There are a couple of areas, like the Kenai Peninsula, where you can only take two wolves while you're hunting, and up on the North Slope you can take ten wolves. But the rest of the State, the bag limit, they changed it to five wolves.

7

8 Under federal regulations, there's a lot of different bag limits, and so they wanted to make the federal regulations less confusing and have them align with the State regulations on bag limits for wolves.

12

13 MR. WILDE: Randy, this looking at it on page nine, Units, harvest limit, open season, this other -- the other on the numbers like at Kenai, NWI, what does "others" (ph) represent? Are those the ones you propose -- State proposed? The other ones?

18

19 MR. KACYON: Yes.

20

21 MR. WILDE: You're not proposing anything on Unit 18?

23

24 MR. KACYON: Unit 18 is included under 16 through 24.

26

27 MR. WILDE: Sixteen to 24?

28

29 MR. KACYON: On page nine.

30

31 MR. ANDREW: (In Yup'ik)

32

33 MR. WILDE: Uh-huh. Original proposal, what did it say? How many?

35

36 MR. KACYON: Okay. On page eight, Harry, if I may,

38

39 MR. WILDE: Page eight?

40

41 MR. KACYON: is the federal regulation as it stands right now. On page nine is the state regulation as it stands now. That's just the trapping. The trapping regulations apparently under, correct me if I'm wrong, under state and federal regulations are similar or -- oh, I guess the trapping dates, they want to have a longer trapping season on wolves also. Is that correct?

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. ADERMAN: But not in Unit 18.
2 MR. KACYON: But not in Unit 18, right.
3
4 MR. WILDE: Not in Unit 18?
5
6 MR. COFFING: The number was only up from four
7 to five.
8
9 MR. KACYON: Right.
10
11 MR. NAPOLEON: Randy?
12
13 MR. COFFING: That's what he wants to know.
14
15 MR. NAPOLEON: The number down here on page
16 one, Unit number, there's nine to 25914? What exactly is
17 25914?
18
19 MR. ADERMAN: If I may, Mr. Napoleon, that is a
20 mistake. That should just be 14, Unit 14.
21
22 MR. NAPOLEON: Okay.
23
24 MR. KACYON: That was a typo.
25
26 MR. WILDE: I think I'll ask again. I want to
27 make sure -- make sure this Council understand your proposal, I
28 think to ask you again, on those number, colored ones on page
29 one, are those areas that you guys are proposing certain,
30 those kind of colored black?
31
32 MS. MARTINEZ: The shaded ones.
33
34 MR. KACYON: The -- Mr.
35
36 MR. WILDE: Is those the units that you guys
37 propose? I want to make sure -- make sure this Council
38 understands.
39
40 MR. KACYON: Yeah. What I want to explain is
41 the -- that's the ones they want to change, right, the shaded
42 ones. But that -- the whole paragraph there is what -- how the
43 state regs look now. The shaded parts are the parts that they
44 want to change. They want to make the bag limit for wolves
45 five in most of the areas rather than like it is on page eight
46 where you have two, one, ten, two, ten, four, one, one. It's
47 they want to make it less confusing, to have a more uniform
48 bag limit I guess.
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: I live in the Yukon now, and one of
 2 the livelihoods is catching meat, like special moose meat.
 3 Sometimes the wolves chase the moose away, and also they chase
 4 the caribou away, and -- and it has been brought up that this
 5 - excuse me, this I think proposal is to be beneficial, and
 6 also -- and also the people in the Yukon and would -- would
 7 probably help people in those areas. Now, do you have anything
 8 to say toward this proposal?

9
 10 MR. ANDREW: Mr. Chairman?

11
 12 MR. WILDE: Yes?

13
 14 MR. ANDREW: Let me help you. If those charts,
 15 back in that -- the harvest limit and the open seasons have not
 16 always been the same, but if you pass this, the harvest limit
 17 would become -- would become unified like, you know, if -- and
 18 then if they increase from four to five and then also, you
 19 know, the date -- the dates will become the same. If the state
 20 and federal regulations become -- if they become identical.
 21 There are two different things for trapping and hunting.

22
 23 MR. McCANN: Mr. Chairman, the Board, my
 24 experience on the moose -- I mean wolves. We had the reindeer
 25 herders here in the area here. There were a lot of reindeer at
 26 that -- at that time. I was a youngster. And I see reindeer
 27 herds, many, many of them. And the reindeer herders were
 28 fighting each other like -- not fighting, but talking to each
 29 other, cussing, and the villagers are wasting the meat, and
 30 there are skins all over the place. Pretty soon the wolves
 31 came along. And the reindeer herders don't -- they're watching
 32 the reindeers 24 hours a day summertime and wintertime all the
 33 day. And those wolves came along, clean up the reindeers,
 34 approximately about maybe two years. So the wolves are
 35 cleaners.

36
 37 So these caribous are getting more and more now. That
 38 I think that means it's easier for the wolves to get it, a
 39 bunch of them together, because the wolves are just like you
 40 and I. They're pretty smart. They can go around them. They
 41 can go any place and they can -- they can kill them any time.
 42 And those days even the reindeer herders watching them with the
 43 guns, they're killing them. Cleaning them out in two years.

44
 45 So I think -- I don't think it would hurt to kill the
 46 wolves. Cut them -- cut them down. I know those -- I know
 47 these white people are protecting the wolves, too, but they
 48 don't know what they're talking about. Wolves might be all

49
 50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

right for some cases, cleaning something -- something up in the country, but in that case, I think they're very really bad on the caribous. When their thick, the caribous are getting more and more, so it's easier for them to kill the caribous.

4

5 Like the gentleman said not so -- a little while ago, those wolves will keep killing the reindeers, just taking the tongue, and that's it. That's what exactly they did. There was a lot of wolves, and a lot of caribou -- reindeer in those days, and I know. And I seen this. So I don't think it would hurt to hunt the wolves and cut the amount down. That would be it help us out and keep the reindeer herds grow faster, a little faster. You never know, they might get them, too.

Thanks.

14

15 MR. WILDE: (In Yup'ik)

16

17 MR. McCANN: Yeah.

18

19 MR. WILDE: Yeah. Yeah, the people up in the Yukon have increased in that area, and they can hear them howling up there. Since there's -- it seems like there's competition between the wolf and the man when it comes to watching the moose or the caribou. It's up to the Board to whether accept this or not.

25

26 Yeah, Steven?

27

28 MR. WHITE: Yeah, Mr. Chairman. During the trapping season, and it also covers the subsistence lifestyle, also the -- in the trapping section, Unit 18 is not covered, and we all know that when people trap, they eat the meat. Also, during the hunting, as you can see, the harvest limit is increased, and also the open season dates are -- will become identical.

35

36 I've heard this -- I've heard about this wolf even when during the time I was small, that when the wolf population increases, they tend to wipe out the -- they tend to wipe out the population of caribou and moose.

40

41 MR. DAVID: Mr. Chairman?

42

43 MR. WILDE: Yeah?

44

45 MR. DAVID: The Unit 18, if the -- even though Unit 18 is not included in this area, the wolf when it gets hungry will have no restrictions entering the Unit 18, so if they violate our moose and caribou during the open season, and

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

even though it's not written down in there, how would -- how will it effect our people. You will have no jurisdiction over when they start killing the wolf. So if they want to know -- or they would like to see the Unit 18 included in this one.

4
5 MR. WILDE: Frank?

6
7 MR. NICORI: Yeah, Mr. Chairman, is there a way that you can increase the harvest limit in the hunting in Unit Numbers 16 through 24?

10
11 MR. WILDE: Unit 16 through 24, it -- the bag limit had been increased from number four to number five and that is what the proposal's for.

14
15 MR. DAVID: I think this number -- in case the increase of the wolf happens, I think the harvest limit of five is not enough.

18
19 MR. NICOLAI: Mr. Chairman, Frank has the floor.

21
22 MR. WILDE: Yeah. Okay. Frank?

23
24 INTERPRETER: Frank has the floor.

25
26 MR. NICORI: Mr. Chairman, you should know, these caribou is -- when the caribous come in order to -- and these -- because they keep wandering around, running away from the wolf, and they lose all their fat. And also -- and also when they -- you know, when they share us with the caribou meat, reindeer meat, there's no fat at all. And some other -- and some other time when a couple of boys caught, they caught a couple of -- a couple of caribous where they were chased by wolf. There were a lot of fat in them, but the ones that they I think the increase of the harvest limit on the wolf would be -- would be beneficial to the subsistence lifestyle. These wolves, because of their constant chasing the game, they don't have a lot of fat. That could be a biological reason. And that could be one of the biological reasons why the caribou are decreasing.

41
42 MR. McCANN: Wolves are not like us. When we hunt for -- when we hunt for moose or caribou, we have to have a license. If we don't, they'll come and -- they'll come and get us, and put us in jail. But the wolf does not have any license to hunt. They can hunt any time. They don't sit down like you people and talk about subsistence. Therefore, I don't think we should -- I think we shouldn't discuss on this,

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

because they're always on constant hunting. Therefore, I think it would be a good idea to increase the harvest limit. You know, if we don't do anything about this, it's going to hurt our subsistence lifestyle. Like I said before, the reindeer herders, and when the -- and when the wolf population increased, they ate -- they ate most of the reindeer that was being herded. Yet I think if they -- there would be people hunting these wolves, there would be a better balance, even towards our subsistence lifestyle. Like I said, they don't have hunting license to hunt. They hunt 24 hours a day. When they get hungry, they chase -- they chase the caribou. Therefore, I think as you discuss these, they could even increase the harvest limit.

13

14

MR. WILDE: Uh-huh. Billy, (in Yup'ik)

15

16

MR. DAVID: Mr. Chairman, Department of Fish and Game, Fish and Wildlife Service, you've heard what Billy said, and that wolves are animals. They're no human being. And we are the -- like I said earlier, are original people of the land. We're different people than you. Your law -- your laws and regulations shouldn't -- shouldn't even bother us, because we are human beings with laws and regulations from our fathers that we can abide by. And you as far as I'm concerned shouldn't even tell us how -- shouldn't even limit us on our subsistence catch, because we won't take -- we won't take more than what we need, and we won't leave any animal we've gotten out nowhere like wolves do. Wolves can only eat a little -- some portion of it, and leave the rest.

29

30

And they don't need no permit to go out and get their catch. And you are making us -- you are giving us something that our fathers didn't pass down from them. You're allowing us to have a permit. As far as I'm concerned, they -- when I go out, I don't need no permit, because I'm a different person all the way, a different human being all the way than you are. Your laws and regulations should apply to your people, and we can abide by what our forefathers left us to live by on our subsistence. So sometimes in making your rules and regulations, you -- I think you people overdo in making your laws and apply some things that shouldn't even be applied to us.

42

43

I don't care if this -- if this figure here -- earlier stated that you left out 18. That was when I didn't see 16 or 18. Now that I see that, the 18 is in here, too. But the number here, even if it's -- even if it increases, I don't -- anybody can get all the wolf they want to protect subsistence. Thank you.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Frank?

2

3 MR. NICORI: Mr. Chairman, it's already been
 4 mentioned that April 15, they will still work on this in
 5 Anchorage, and I am making a suggesting that the Unit 16 to 24
 6 that you should erase that number five and change it to no
 7 limit. They have already brought up the issue that the
 8 increase of the moose population has declined, and also they --
 9 the wolf -- there has been discovered that in one of those
 10 markings (ph) that they have killed four reindeer and left the
 11 tongue -- they took the tongue.

12

13 MR. WILDE: (In Yup'ik)

14

15 MR. NICORI: Yeah.

16

17 MR. WILDE: I'd like to get the response from
 18 the State. Unit 18, instead of five, no limit. The way it's
 19 recommended, what is feel about -- State feeling?

20

21 MR. KACYON: The bag limit, they want to make
 22 the bag limit five for most of the State so it's less
 23 confusing.

24

25 The trapping -- if you have a trapping license, you can
 26 still shoot a wolf. There's no limit. On page ten, even
 27 though 18 is not in there, the Unit 18 bag limit for wolves in
 28 trapping -- with a trapping limit, there's no limit already.

29

30 This bag limit of five just refers to hunting, people
 31 with a hunting license only. Most people out here get the low
 32 income license, hunting, fishing and trapping, so you would be
 33 if you had a trapping license, you should -- there would be
 34 limit to your take of wolves out here.

35

36 MR. WILDE: (In Yup'ik)

37

38 MR. DAVID: Even the -- for trapping, there --
 39 you stated that there's no limit. Now, the way I support this
 40 proposal would be to wipe out five for hunting and put no limit
 41 in there, because -- or put down no limit, anybody can hunt
 42 when -- if the number of wolves increase in the area, no matter
 43 where in part -- no matter what part of the State that that
 44 figure applies to. I would support if you put down no limit in
 45 any of the -- any other part of the State.

46

47 MR. KACYON: I think on your -- on most of the
 48 State, if you have a trapping license, you can shoot a wolf

49

50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

with a firearm. You don't have to use a trap. As long as you have a trapping license.

2

3 The reason there's a bag limit I think for hunting is because sometimes -- sometimes hunters that are hunting -- just hunting wolves and not trapping, trap -- people with trap lines feel like they don't want those people to compete with them. So that's why there's two sets of regulations, one for just people that want to hunt wolves, and one for people that are under the trapping regulations. I think most people out here would fall under the trapping regulations, therefore you wouldn't be limited, as long as you had a trapping license. If you had a hunting license though, you're right, David, that you would be limited to five wolves, if you only had a hunting license.

15

16 MR. WILDE: Yeah, maybe why they have a number there, because tourists say no killing wolf, huh?

18

19 MR. McCANN: Mr. Chairman?

20

21 MR. WILDE: Yeah?

22

23 MR. McCANN: I would like to ask the person over here, the people from ADF&G (ph), you said something about trapping. Trapping has no limit. And you said something about the license people that has shooting permit to hunt and they've got to have a limit, right? And you said something about trapping can be shooting, that's also -- that's true? Are you sure that trappers can be using firearms to kill the wolf? Are you sure of that?

31

32 MR. KACYON: Yes.

33

34 MR. McCANN: It's in the paper?

35

36 MR. KACYON: Yes.

37

38 MR. McCANN: Because sometimes some rural law people that say that we can do anything, we can do this or do that, but later on they'll turn around and, "No, you can't do that" after it's done. Make sure the doggone thing is written down in the paper, send it out to the village. Let them understand. If you come around, "You can't do this," you'll we can talk and tell you you're full of shit (ph). You go home. Do you understand that? Make sure it's that little words in there that people understand. (In Yup'ik)

47

48 INTERPRETER: He's repeating what he just said.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

He wants it written down, and make sure all the people understand that when this -- these things come up, these issues come up, that we can do this, and we can do that, later on they turn around and say "You cannot do that."

4
5 MR. WILDE: (In Yup'ik)

6
7 MR. McCANN: Yeah.

8
9 MR. WILDE: (In Yup'ik) We'll have recess to
10 1000 o'clock.

11
12 (Off record) 11:35 a.m.

13
14 (On record) 1:00 p.m.

15
16 MR. WILDE: We're back from lunch. Before we
17 did anything on proposal two, also there's -- Moses Nicolai?

18
19 MR. NICOLAI: Mr. Chairman, when we talked
20 about this proposal number two, if I didn't -- if I don't make
21 a mistake here, the other proposal covers the hunting, and the
22 other is trapping. As I understand it, the harvest limit is to
23 number five, the trapping is no limit. As I understand it, it
24 seems like this hunting is referred to people who are flying to
25 hunt for the wolf, and the other one is for trapping, people
26 who aren't flying. As I see it, there seem to be two different
27 proposals here, even though it's considered as one.

28
29 As we know now that at Unit 18, the wolf population is
30 increasing. Also the -- due to the increase of the moose
31 population. So as I see this -- as I see this harvest limit on
32 the hunting, I think it's not enough here. Trapping, there's
33 a limit, and also I think -- I think we should refer to that
34 time where during the herding years as the wolf was increasing,
35 they wiped out the moose population, not only -- not only the
36 wolves, also the others. The coyote was also involved, and
37 they do -- they do migrate with the moose population as it
38 increases in our area. Therefore, as I foresee it and in the
39 future, if they kill the caribou and the moose, there's a
40 danger of depleting.

41
42 And also they would -- you know, the State and the
43 Federal would -- they would refer to the people and blame the
44 people for -- and also you guys should know that the wolf is
45 the one that is usually go at the herd until that there is --
46 there's always a depletion. As I was told by my forefather one
47 time that my grandpa used to tell me that -- he said that there
48 would be depletion of moose and caribou and it did happen one

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

time back then, but he said that one day there will be an increase, and now we see. But he also stated that any time there's an increase in the moose and caribou population, so is the -- so is the population of the wolf increases. During his time there was a mixture of wolf and caribou, and also the decrease in the moose population were depleting faster, even though they kept an eye on them. And also as McCann stated earlier, that even though they're watching 24 hours a day, they saw the -- they saw the wolf and the coyote work on the herd until they were depleted.

10

11 These wolves and coyotes, they look for -- they don't look for the sickly -- sickly herd. As we hear today, that these coyotes and wolves look for the sick groups. As I watch 14 and my grandfather and my dad used to say, and then I started hunting, and I've run across the wolves working, chasing moose and these moose that they chase are very healthy, and the caribou that they chase is very healthy. Therefore, I never believed it, even though they say that the wolf and coyote chase the sickly ones. That is not true. Back then when -- there were a lot of moose back then, and what they -- the wolf went after just the tongue and the eyes, back then that the wolf and the coyote when they were working on the hunt (ph) -- coyote. He told me watch what he was talking about, and then they say that in the future I would see it. If they try to deplete the population, the increase of the moose and the caribou population, that they would just eat the tongue and the eyes, and they would work on the healthy one.

28

29 Therefore, we wouldn't like -- I don't like the accident, and then put the blame on the Yup'ik people, because the wolf is increasing, as the moose population is also increasing. I think it would be better if they would keep the wolf from increasing. Therefore you, the rest of the Board members, I would just bring this out -- up, what I was -- what I had in my mind. And what my grandpa and my dad used to say, that we should really watch in the future when we encounter this kind of situation, and we should work on the issue. Therefore, even around 1965, we didn't see the -- we didn't see the wolf, because I hunted there, and they met at the Kilbuck Mountains. I didn't see -- I rarely see wolf up there. And so the first time I saw the caribou, and my dad, when we were trapping for -- trapping for beaver on Kacerabik (ph), there were very few. But my dad said -- oh, I said to my dad, I should kill one caribou. He said to me, "I think -- I think the population is going to -- I think the population of the caribou is going to grow." He said, "Don't kill one yet. Maybe some day when it increased, then you will start hunting." But he said afterwards, "I hope -- I hope the coyote and the

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

wolf don't increase with them." Therefore I keep stressing this.

2

3 When the moose and the caribou population are depleted, they always blame the Yup'ik. They always blame the Yup'ik people. They say we're poaching. Yet it -- the wolf are also killing. And these Fish and Wildlife, they keep flying, and you probably see them eating the bones and the meat. These things don't require license. They are constantly scavenging for moose and caribou population. Therefore, the harvest limit on the hunting, as I see the limit, five is not adequate to what I'm concerned about, because I do not like to see the decrease in the moose and caribou population. Thank you very much.

14

15 MR. WILDE: Paul John?

16

17 MR. JOHN: Thank you, Mr. Chairman. The one that was brought up by Moses is very true. Our ancestors only know about their experiences and pass it down to our generation. Also, I always think that even though they keep killing the wolf, they will never be depleted. Therefore, I push for no harvest -- no limit on the harvest.

23

24 Our ancestors have stressed that these wolves are like people. They are called wolf, but our ancestors have said before they can turn form into people, and also the porpoises or the whale, the beluga whale. They have been seen that they come up to the beach and transform into wolves. The ancestors only talk about what they see. Yes, I believe that they can come out of the water.

31

32 And my mother -- my mother had an uncle when I was a little boy, that was called -- he was called a shaman. After she -- my mother's uncle used to tell me -- used to tell me that the moose population would increase as I live. One day I asked him, how -- he always say that there's going to be moose population. Where are they? He didn't tell me where they were, but he said they are coming. He didn't tell me the location. And these are the experts -- expertise that were passed down from our ancestors to us.

41

42 Therefore, sometimes when we have discussions like this, I'm going to try to bring these up. But -- and these wolves were before. And when they gather together to have a party, and a long time ago, they used to feed their -- used to feed their people with the wolf tongues back then. These are the true incidents that were passed down to us, and we'll bring them up on such occasions.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Yeah, my understanding now that
 2 this Council here, they would like to see unlimited hunting,
 3 wolf hunting in Unit 18. The reason for this, they are just
 4 like a competition with our subsistence lifestyle in Unit 18.
 5 That is why they would like to see unlimited hunting.

6
 7 I think it's time -- I think it now understandable what
 8 this -- one of you can move, in which direction we should go.
 9 If one of you Board members can -- if you're for the proposal
 10 against it or no action or what.

11
 12 MR. DAVID: Mr. Chairman, I so move to accept
 13 the proposal as it is, except change the harvest limit in Unit
 14 18 to no limit in the hunting section.

15
 16 MR. WILDE: There's a motion on the floor from
 17 David O. David moved to accept the proposal, but in the Unit 18
 18 remove the harvest limit of five to no limit.

19
 20 MR. ANVIL: Second.

21
 22 MR. WILDE: And so the motion is seconded by
 23 Antone Anvil. Any questions or discussions?

24
 25 MR. ANVIL: Mr. Chairman, the reason for me
 26 saying second to the motion is because I watched -- in my young
 27 days, I've watched the -- one morning I looked to the -- as we
 28 were hunting, we saw there were -- there were moose. And there
 29 was a time when the population of the wolf was heavy. The --
 30 I've seen on the side of the bluff, the calves of the moose
 31 that were slaughtered, just the area of the throat was bitten
 32 off by the wolf. That is why I second this motion, that there
 33 should be no limit on the -- harvest limit on the Unit 18.
 34 Therefore, I push for this to increase the population of the
 35 moose and caribou.

36
 37 MR. WILDE: Uh-huh. David?

38
 39 MR. DAVID: My reason -- my reason is because I
 40 know that there is an increase in the moose and caribou, and
 41 common sense tells me that the wolf will also increase. And
 42 that's the reason why I made a move to accept the proposal
 43 number two, but change the harvest limit to no limit in the
 44 Unit 18 in the hunting.

45
 46 MR. WILDE: Paul?

47
 48 MR. MANUMIK: (In Yup'ik)

49
 50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Maybe -- that's only on 18 now,
 2 maybe you guys could understand what the motion is. The motion
 3 is no limit for hunting wolves in Unit 18. The reason is why
 4 that the competition with the subsistence. To us subsistence
 5 is more important than the wolf. (In Yup'ik)

6
 7 MR. MANUMIK: This is a roll call vote, calling
 8 the names. Yes for accepting, no for against. Moses Nicolai?

9
 10 MR. NICOLAI: Yes.

11
 12 MR. MANUMIK: Paul John?

13
 14 MR. JOHN: Yes.

15
 16 MR. MANUMIK: Steven White?

17
 18 MR. WHITE: Yes.

19
 20 MR. MANUMIK: Henry Napoleon?

21
 22 MR. NAPOLEON: Yes.

23
 24 MR. MANUMIK: Chuck Chaliak is absent. Antone
 25 Anvil?

26
 27 MR. ANVIL: Yes.

28
 29 MR. MANUMIK: Paul Manumik, yes. David O.
 30 David?

31
 32 MR. DAVID: Yes.

33
 34 MR. MANUMIK: Harry Wilde?

35
 36 MR. WILDE: Yeah.

37
 38 MR. MANUMIK: Eight yes and one absence.

39
 40 MR. WILDE: We'll push for proposal two with
 41 that changing on the hunting, Unit 18, harvest limit changed
 42 from five to no limit. And also we're going to hurry up a
 43 little bit here on these proposals, because of the

44
 45 Proposal number 45. Kuigpagmiut, Incorporated, Lower
 46 Koon, towards this moose regulation. They came from the Unit
 47 18.

48
 49
 50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

MR. LUKE: Koyana, Mr. Chairman, for this opportunity to present our proposal. Mr. Chairman, I would like to

3

4

MR. WILDE: Will say your name, who you are?

5

6

MR. LUKE: Mr. Chairman, my name is -- excuse me, my name is James Luke. I'm from Mountain Village, working for Kuigpagmiut, Incorporated. I'm the resource chairman of four villages: Marshall, Pilot Station, Andreafsky and Mountain Village. And we also represent the hunters who asked for proposal 45. I will be speaking both in English and Yup'ik, so as we go along, I will do some translation of this.

13

14

The Lower Yukon in -- before 1988, that area below Mountain Village used to be open for subsistence hunting of moose as part of the over-all Game Unit 18. There were not -- there were very few moose at that time, so the Lower Yukon Mayors Association got together and then took their initiative to close that area. They requested Fish and Game, you know, to work together, and then see if they could close that area. So the Mayors Association worked together with the Alaska Department of Fish and Game and then close that area below Mountain Village for five year. After five years so -- after five years they were going to look at that area again. The five -- after five years, they want to look at this area below Mountain Village, and those villages, especially Kotlik area, and Emmonak, they would like that area to re-open for subsistence moose hunt. When Fish and Game and Yukon -- Lower Yukon Mayors Association wrote that five-year moratorium,

30

31

The Lower Yukon villages had a meeting down at Emmonak on November, mid part of November with U.S. Fish and Game and Alaska Department of Fish and Game present. They mostly discussed the area below Mountain Village, that five-year moratorium was over, and then also that they would like to re-open that area. And during that meeting, Department of Fish and Game presented those villages moose management plan model for those villages to take home, to discuss it, study it, and then come up with a plan, you know, to control the moose management -- moose -- subsistence moose hunting in that area. We have been discussing this model, and then we have talked, you know, amongst ourselves. The village -- Mountain Village met sometime in early December regarding this moose management plan and took some suggestions from the villagers, and me being working for Department of Natural Resources, I took Fish and Game's model, and put some ideas into it and I used most of the material that was in that model that Fish and Game presented to us. In fact, he told us that, you know, we could look at this

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

and do whatever we think we should include with our ideas for the moose management in that area.

2

3 Now, if you want me to read some of this, I think you might have copies of this.

5

6 MR. WILDE: (In Yup'ik)

7

8 MR. LUKE: The main thing that Fish and Game I think wanted to know was the number of fish -- excuse me, number of moose that were there, and then at what number we should hunt, you know, when the moose population gets to a certain amount. So after discussing this with our people in Mountain Village, we put down tentatively 50 bull moose at a ratio of one to two. When the moose population get to that number, then perhaps we could hunt moose for subsistence in that area. This is, of course, is just a working model. It's not complete. We have not met again with the villages. We postponed until next month, February 15th and 16th, then we will discuss this again.

20

21 They want to re-open that area. Commissioner Rosier, he answered that letter. It's in the Fish and Game records. Commissioner Rosier answered that letter to Kotlik that there was not enough moose at this time, and then they would like to wait. However, since there are some moose in our area, and I will discuss it on the proposal, it gets to be hard, you know, what (In Yup'ik). Kotlik, Emmonak, around those areas, with restriction. If you -- if they do open that area, they would like to be restricted, you know, to bulls only and then also for a shorter periods of hunting time.

31

32 This proposal was submitted to Federal Subsistence Board, but it was put into the manual different, you know, from our submittal. It didn't explain, but staff analysis at the beginning of the analysis. When we first submitted this proposal, we did not include Kanektok and Goodnews drainages. We're mostly concerned with that area below Mountain Village, and not including Andreafsky drainage. I don't know who put that in

40

41 Proposal submitted by Kuigpagmiut, Incorporated. Existing regulation: "Unit 18, that portion north and west of a line from Cape Romanzof to Kuzilvak Mountain, and then to Mountain Village, and west of, but not including the Andreafsky River drainage, and those portions -- " We did not include those portions contained in the Kanektok" area.

47

48 And then the regulation change proposed, "Unit 18,"

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

"Public lands in Unit 18 are closed to the hunting of moose, except by qualified rural areas (sic) of Unit 18." We would like to open it for one bull from September 5th through the 25th.

4

5 Reason for changing the regulation: "The area downstream from Mountain Village has been closed to subsistence moose hunting for the past five years. This proposal would make subsistence regulations consistent with customary and traditional uses."

10

11 Effect of proposed change on wildlife population: "The moose population in the subject area has increased enough to support a 20-day regulated subsistence hunt. A two-year experimental hunt will have no dramatic effect on the moose population."

16

17 Effect of proposed change on subsistence users: Alaska Native residents of Mountain Village, Kotlik, Emmonak, Akanuk, Sheldon Point, Scammon, Hooper, and Chevak have additionally hunted in that area downstream of Mountain Village for many, many years. Many subsistence users are unable to afford the travel required to hunt moose in the upper regions of the Yukon River in Unit 18. The distance is too great."

25

26 Additional supporting information was that moratorium. 27 did not get this early enough, you know, to send it to Federal Subsistence Board. But what it was is that I wanted to include it -- include that statement, the moratorium, with this, you know, showing that it was closed back in 1988, and that we would like to consider re-opening up. It's five years.

32

33 And then also we worked with the AVCP who is represented by Roczicki, Greg. Would you care to comment on some of this as we discussed?

36

37 MR. WILDE: Yeah, I think make your comments short, because we've got a 5:00 o'clock deadline here. Some of us have to go home. So try to make the comment understandable and as short as possible.

41

42 MR. ROCZICKI: James has covered it very well. We did meet by teleconference with the majority of the Lower Yukon villages on the 20th, but we -- and I know James has really covered that discussion very well. There's still a lot -- people are really about half and half on whether they want an opening or not. There's no clear consensus of the people on what they want. Some of the villages still would

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

like to see it remain closed, and others, as James mentioned, support having a bull only season where they would have -- there would be a limited access to the moose. And everyone is unanimously opposed to any kind of a winter hunt in that area.

4

5 At this point, I guess we'd more or less concur with
6he -- with the recommendation in the staff analysis that's in
7your booklet, that we believe that this is something that
8there's so many diverse opinions on it, that I think we really
9ould leave it to the people and the village representatives to
10come up with a consensus among themselves, and through
11potential for management as to -- on how they would like to see
12that moose population managed.

13

14 MR. WILDE: Yeah, I think this is -- proposal
15 originally come from downriver, below Mountain Village. I
16ould like to have a short as possible comment from State and
17ederal.

18

19 MR. MORGART: Mr. Chairman, Randy Kacyon isn't
20ere at this time, but he and I worked together with the
21downriver village folks, and are working together in developing
22cooperative moose management plan, a lot like the Kilbuck
23aribou Management Plan that many of you probably have heard
24out. We agree the moose populations have increased in the
25wer Yukon River, and it's basically been because of the
26atience and foresight shown by the folks down there in having
27closure. We don't believe, however, that the moose
28opulation has increased yet to a size where it has a huntable
29rplus. We think the best procedure would be to continue with
30he cooperative planning process that we have initiated with
31hat Emmonak meeting that the gentleman referred to a little
32arlier. And I think that by working the State and Feds with
33he local downriver folks, that we can come together on some
34nd of agreement on the best way to manage those animals and
35e if and when there is a harvestable surplus.

36

37 MR. WILDE: It's -- you're from Fed?

38

39 MR. MORGART: That's correct. I'm U.S. Fish
40nd Wildlife Service.

41

42 MR. WILDE: Okay. There is no State here?

43

44 MR. MORGART: Well, Randy Kacyon is not here
45t. Mike Coffing's here.

46

47 MR. WILDE: Well, that's all right. State's
48t going to agree anyway, so -- yeah, go ahead.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. COFFING: Yeah. Thank you, Mr. Chairman.
 2 just wanted to add along with what John said, I think, you
 know, from the State's perspective, we're real interested in
 seeing people down there along the Yukon River, the Lower Yukon
 River, only Mountain Village, Marshall, Pilot Station, Emmonak,
 looking at villages on down the river there work together with
 State and the federal agencies to do what we can to provide
 long-term opportunities for people down there to harvest moose.
 9 And I guess along those lines, I'd just like to recommend that
 we continue to work on developing a management plan for that
 population down there so we can get something that everybody
 agrees on, including the people on down the river there, along
 the Yukon, before we open the season up.

14

15 MR. WILDE: These people from Mountain Village
 16 these people close the area without our knowledge. Our
 children are -- our concern is that because of this closure
 without knowledge, is referred to our children, because if they
 broke the regulation, they can land in the -- I don't think the
 moose population is going to increase, because of the flood
 situations, and the population is very small. And also our
 kids travel to very great distances, and they leave that area.
 28 They go after the moose. You guys know that our -- the
 mountains (ph) -- and the -- you've seen our mountains, and
 when you see moose beyond that mountain, you can't kill them,
 but our kids are not like us. They're not afraid of white man.
 29 Some are messed upwards (ph), that's why we have a concern
 towards them. And also this proposal is from the downriver,
 and from my village, Mountain -- from the Village of Mountain
 Village, and those elders are concerned, and even if they don't
 listen to us, they have advised us to talk to the Council to
 push for this proposal.

33

34 MR. DAVID: Mr. Chairman?

35

36 MR. WILDE: Yeah? (In Yup'ik)

37

38 MR. DAVID: These white people know how they
 work. Sometimes hurts the people working on things without the
 knowledge of the people. This proposal that is being pushed
 for had been used for in the generations before us, and a long
 time ago, even though that the moose population could have
 increased. But as you see, and I'm going to push for this --
 44 I'm going to push for this proposal, because that land is not
 yours. You push for this proposal, because you're going to
 make money off of it. These people, you weren't concerned of
 the people -- people's subsistence lifestyle, because you did
 not tell them when you were going to close it. Therefore, I'm

49

50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

going to push for the proposal to -- for them to give it back the way it was before.

2

3 MR. McCANN: Mr. Chairman, last year I was
 4 here. I've heard when you were together, and you -- you said
 5 to them and support with you, that the -- that they should ask,
 6 you said that after you -- you said you wanted to talk to the
 7 people, and you said that you would talk to the people
 8 downriver at Kotlik and Mountain Village, and last year this --
 9 when this came up, you have tabled this and said you would
 10 discuss it with the people of those areas. And now I believe
 11 that -- and I believe that you have already consulted the
 12 villagers before you draft this proposal, after you have
 13 listened to the condition of those people. I know that this
 14 proposal comes from those villagers, because they know the area
 15 and their hunting grounds. And one of them said that they
 16 believe that the moose population will not increase, because of
 17 a lot of flooding situations in the springtime. And the
 18 population of the moose haven't increased much.

19

20 MR. WILDE: I think it's time to understand
 21 what this proposal is asking for.

22

23 MR. ANVIL: Mr. Chairman?

24

25 MR. WILDE: Antone?

26

27 MR. ANVIL: These villages have asked, I think
 28 we should honor the request of the villages, because even
 29 though there's -- I think we should not violate their
 30 subsistence lifestyles. However, whenever -- because they have
 31 the knowledge of their area, and these Mountain Village areas,
 32 that area, and also downstream villagers. I think I want to
 33 push for this proposal, because it will -- it will help them in
 34 their subsistence lifestyle. You know that you don't catch
 35 game every time you hunt, and it's always very hard work to try
 36 and catch game to put food on the table. And I think we should
 37 honor the request of those people. We who are sitting here
 38 should push for that, and that is a push for this proposal.

39

40 MR. DAVID: Mr. Chairman, I so move to accept
 41 the request of those villages.

42

43 MR. WILDE: (In Yup'ik)

44

45 MR. MANUMIK: Second.

46

47 INTERPRETER: Seconded by Antone Anvil?

48 Second?

49

50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: No.
2
3 MR. MANUMIK: Mr. Chairman, (In Yup'ik)
4
5 INTERPRETER: No, David.
6
7 MR. WILDE: No, David. David. Any
8 discussions? Question by -- question's been called for. All
9 in favor say aye, opposed same sign. Roll call vote by
10 Secretary.
11
12 MR. MANUMIK: Moses Nicolai?
13
14 MR. NICOLAI: Yes.
15
16 MR. MANUMIK: Paul John?
17
18 MR. JOHN: Yes.
19
20 MR. MANUMIK: Steven White?
21
22 MR. WHITE: Yes.
23
24 MR. MANUMIK: Henry Napoleon?
25
26 MR. NAPOLEON: Yes.
27
28 MR. MANUMIK: Chuck Chaliak (in Yup'ik).
29 Antone Anvil?
30
31 MR. ANVIL: Yes.
32
33 MR. MANUMIK: Paul Manumik, yes. David O.
34 David?
35
36 MR. DAVID: Yeah.
37
38 MR. MANUMIK: Harry Wilde?
39
40 MR. WILDE: Yes.
41
42 MR. MANUMIK: Eight (in Yup'ik). Just like
43 before.
44
45 MR. WILDE: Motion carried. It's a motion.
46 Proposal number 46. Moose, Unit 18. Forty-six.
47
48 MR. ANDREW: This was -- this was submitted by
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Kwethluk Joint Group. Frank Nicori (in Yup'ik).

1

2

MR. WILDE: Okay. Frank?

3

4

MR. NICORI: Thank you, Mr. Chairman. I'm representing the group, the joint group, because we worked together to draft this proposal, number 46. This proposal, it did not really change much. However, the reason that we're introducing a change, we're asking for is to change it from September 1 to -- from -- oh, excuse me, change September 1 to August 25 to September 30, because it only opens for 30 days. But we -- when we got together, we wanted to add one more week to that, because that was the time the moose season starts to -- I mean, to -- the bulls are starting -- start moving around. Because we know that when the bull moose are after the cows during that time, the meat it seems like it gets spoiled. I know that there are a lot of days which are allocated for open season, but it is not always easy to catch moose. And therefore, we have asked to make an addition of one week, or from August 25 to September 30. Those people didn't come. They were supposed to have their input from -- of from the IRA group. I'm wishing that you would support this proposal. And I'm asking you right now. Thank you.

23

24

MR. WILDE: I would like to get the response, short response from State and Federal. Randy?

26

27

MR. KACYON: Mr. Chairman, I just would like I guess the translator, maybe he can just read the State's response in Yup'ik for you.

30

31

MR. WILDE: When are you going to learn how to speak Yup'ik?

33

34

MR. KACYON: Maybe next year.

35

36

INTERPRETER: Just proposal number 46? By my Yup'ik, you mean?

38

39

MR. KACYON: Yeah. Okay.

40

41

INTERPRETER: "Proposal Number 46. Increasing the number of days for hunting moose in Unit 18, especially along the Kuskokwim River drainage can potentially threaten overharvest of the moose population. Many hunters believe that temperature during an August season is too warm and damp to keep moose meat from spoiling. Refrigeration is unavailable and much of the annual rainfall comes at this time of year. Leaves are still on the trees and shrubs, making it difficult

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

to see moose clearing and putting cows and calves at risk of being mistaken for bulls.

2

3 "The moose season in Unit 18 is already longer than in
Units 19(A), 19(B), 21(A), and 21(E) where moose population
densities are greater than in Unit 18. Moose season begins on
September 1st throughout the entire Kuskokwim drainage, which
makes the regulations less confusing and easier to enforce, and
the Alaska Department of Fish and Game prefers to maintain that
consistency."

10

11 MR. WILDE: How about the response from State
12 Federal?

13

14 MR. MORGART: Mr. Chairman, I would just
basically say that I think the Yukon-Delta Refuge and Fish and
Wildlife Service agrees with the Alaska Department of Fish and
Game analysis.

18

19 MR. WILDE: Any more response? Frank?

20

21 MR. NICORI: Yeah, Mr. Chairman. I don't agree
with the justification, or the opposition. We all know that we
have freezers in our house. And that temperature and the
weather is no -- is not an excuse. The weather. And even
though it's the rainy season. If we want to hunt, we can hunt.
And the leaves on the trees is not an excuse. When we hunt,
when we look for the bull, we know that the only ones that have
antlers, and that is not an excuse to make a mistake. And
also, if that is the case, -- if this is too early to open it
on August, if you would -- would you be able to make an
amendment on the days? Also, Randy, it already stated that our
seasons is -- opening season is longer than those other units
mentioned. When we sat together, if that is going to be the
case when we made a proposal, we said, if we can take some of
the -- if -- cut off the end, five days off September 30, but
open from August 25. Also, there is always an inspection of
the moose season -- the moose population by airplane. If that
could be the case, maybe you can cut off five days off the end
of the September 30, but add five more days starting August. I
think that would be the -- that could be the case.

41

42 MR. WILDE: As I understand, -- as I
understand, if that would be the case, that you wanted to add
August 25 and then take five days off the end of September.
That's the way I understand it. Mr. Frank Nicori is the
representative for the Joint Group of IRA Council, City Council
and Kwethluk, Incorporated, Board of Directors, to -- If that
could be the case, -- what they do now would be now if they're

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

going to move it. 25?

1

2

MR. DAVID: Yeah.

3

4

MR. WILDE: If that could be the case, then -- instead of 30. That means start the hunting season on 25 of August and close it on September 25. Any comments from the Board? Steven White?

8

9

MR. WHITE: I have one comment.

10

11

MR. WILDE: Steven?

12

13

MR. WHITE: These -- that is the time during that last week of the September during that area is when the meat of the bull season is starting to taste bad, because they are out rutting. And if you don't accept -- if it's going to be if the days are going to be the problem here, they want to know if they can make amendments to open the season from August 29 and close it September 25.

20

21

MR. WILDE: Any more comments from Board?

22

23

MR. NICOLAI: Mr. Chairman?

24

25

MR. WILDE: Okay, Moses?

26

27

MR. NICOLAI: I want to add this beforehand. When they -- before they used to open the season in August and there had never been any complaint before. They want to move this August 25. Some people start taking off trying to put a table on their food (sic) and also hunt for squirrel during that time when -- because they climb up in the hills to look for the squirrel. And that their -- even if they see a moose, they can't shoot it.

35

36

And also they've got an excuse that the meat would be spoiled because of the warm temperature. You people know when you see meat, I don't think -- as far as I can remember, I haven't seen anybody waste any meat due to the warmness of the temperature, because I used to travel with my family, and they say that -- right now they say because of the warm temperature, the meat is going to be spoiled. Those people that travelled during August, they take care of the meat and prevent it from spoiling. Some of them, they made -- they would dry meat out -- they take it to -- they take it to a spring, and you know that from experience that spring water is always very cold, because they originate from the mountains. Some of them could dry meat, some put it in the water where it will be cold, and

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

that's how they had refrigeration. Therefore, even

1

2 And that justification that you heard that there's also
3 lots of leaves, we the people, the Yup'ik people, even though
4 our hearts skip a beat when we see game, we make sure before we
5 shoot, we make identification, and like our counterparts here,
6 we don't put on orange coats to go hunting with, because when
7 we see a game, -- or when we see something dark, like those
8 people with orange coat, when we see a branch move, we don't
9 shoot right away. Our ancestors passed down to us when you see
10 a game, whether -- even though it's a small game in the middle
11 of the trees, don't shoot it right away. It could be your
12 other hunting party. And you may have crossed your path as you
13 were looking in the middle of the trees. Therefore, don't
14 shoot it when the tree moves, otherwise it could be another
15 human being. Therefore, even though I don't think -- I don't
16 think they have seen any people wearing orange coats, because
17 this has been passed down from generation, that when we hunt,
18 even though it's very small game, you have to identify in case
19 there might be other people being around it. In other words,
20 identify it before you shoot it.

21

22 And I do not believe the opposition for proposal number
23 48, because it -- when -- our ancestors wouldn't have shot for
24 the meat if the meat would spoil and be useless. Because they
25 have taught us how to take care of the meat. And not only
26 that, they talk about the warm temperature. Our ancestors said
27 if you catch game in the hot weather, dig up the ground, dig up
28 the ground until you reach the permafrost, and when you reach
29 that, then you have -- you'll have something -- you'll have
30 something similar to the freezer.

31

32 Therefore, because they don't know these things, our
33 counterparts here, they think we're against them. And when we
34 try to do things our own way, they think we're against them.
35 We try to make them understand, and bring these up so they
36 could see what we go through now. We, the people, and we're
37 not sitting here out of our own desires, but we sit here to
38 work together with the state and the federal, and we don't them
39 have proposals without our knowledge, but work together and
40 not argue against each other, and become into a unity, so we
41 would start to understand and educate each other, and things
42 would start to run smoother. Nowadays it seems like we are
43 always fighting against each other -- against each other, even
44 though we try to tell them it had worked for us. They never --
45 they never seem to believe us. And they -- if we take these
46 proposals and we look at them closely when we go hunting, it
47 would hurt the intent of the proposals.

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: You should know by now that these
 1- I think you're going to become out of order if the proposals
 have three ways to go. You can either approve, or disapprove,
 or no action. Therefore, I think we understand what this
 proposal number 46 from Kwethluk Joint Group, August 25 to
 September 25, either we push for it, or we don't approve it, or
 no action.

7

8

MR. WHITE: Mr. Chairman, I so move for
 proposal 46 and push it that from August 25 to September 25, to
 approve the regulation change, move opening five days ahead and
 decrease the closing to September 25.

12

13

MR. JOHN: Second.

14

15

MR. WILDE: Seconded by Paul John.

16

17

MR. DAVID: Question.

18

19

20

MR. WILDE: Question by David O. David. Roll

21

22

23

MR. MANUMIK: Moses Nicolai?

24

25

MR. NICOLAI: No.

26

27

MR. MANUMIK: Paul John?

28

29

MR. JOHN: No.

30

31

MR. MANUMIK: Steven White?

32

33

MR. WHITE: No.

34

35

MR. MANUMIK: Henry Napoleon?

36

37

MR. NAPOLEON: No.

38

39

40

41

42

MR. MANUMIK: Chuck Chaliak is absent. Antone
 Anvil?

43

44

45

46

47

MR. MANUMIK: Paul Manumik, yes. David O.

48

49

MR. DAVID: No.

50

MR. MANUMIK: Harry Wilde?

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Yes.
2
3 MR. MANUMIK: Six no, two yeses, one absent.
4
5 MR. WILDE: (In Yup'ik)
6
7 MR. NICOLAI: Mr. Chairman, (in Yup'ik)
8
9 MR. WILDE: (In Yup'ik)
10
11 MR. NICOLAI: Mr. Chairman, you said
12
13 MR. WILDE: I think it's my fault.
14
15 MR. NICOLAI: You said that if we want to
16
17 MR. WILDE: I think it's my fault. I think I
18 have to request for a withdraw
19
20 MR. DAVID: Yeah.
21
22 MR. WILDE: their motion. Because
23
24
25 MR. DAVID: I so withdraw my
26
27 MR. WILDE: I presented out the wrong
28 way.
29
30 MR. DAVID: (In Yup'ik)
31
32 MR. WILDE: When I say -- I was saying like
33 this, okay, you have to say no in order to support this, but
34 that's wrong. They have to say yes in order to support it. So
35 they misunderstand and I don't -- I bring it out the wrong way.
36
37 INTERPRETER: He had stated that -- the first
38 time he had stated
39
40 MR. WILDE: We would like to hear how we could
41 do like this kind of problem?
42
43 MR. FROST: Well, Mr. Chairman, I guess I just
44 wanted to clarify. Frank, now his proposal really seeks the
45 full time as I understand this. He doesn't really want this to
46 be cut back the five days in September unless he's forced to do
47 that, and that's where I wasn't quite understanding. You could
48 have to adopt the proposal as written, without cutting it back
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

five days, to give five days in August, and then the full time in September. You could move to adopt that. You could also move to adopt an amended proposal if Frank agrees to amend his proposal so that he doesn't have it beyond September 25.

4
5 Now, what you currently have, as I understood it, was a motion by Mr. White to adopt the shorter time period with five days less in September. Now, if Frank doesn't disagree with that, you could go ahead and re-vote, because there was a misunderstanding, and that's not a problem.

10
11 MR. WILDE: Uh-huh. So the amendment have to come first? We have to vote for amendment first

13
14 MR. FROST: You don't have to

15
16 MR. WILDE: or second?

17
18 MR. FROST: vote for that.

19
20 MR. MANUMIK: No.

21
22 MR. FROST: I

23
24 INTERPRETER: Can I translate that?

25
26 MR. FROST: Sure.

27
28 INTERPRETER: (Translates into Yup'ik)

29
30 MR. WILDE: Yeah, go ahead.

31
32 MR. MANUMIK: The motion reads, by Mr. White, August 25 to September 25. That's the way his motion was.

34
35 MR. WILDE: So that

36
37 MR. MANUMIK: That was what we were voting for.

38
39 MR. WILDE: Yeah. My understanding now, that should -- that could be an amendment? We could amend it, we have to vote on original one first? That's what -- that date from August 25 to September 30, that's the original proposal.

43
44 MR. FROST: Can I respond, and if there are any problems, go ahead and just jump in. Yes, Mr. Chairman, you could vote on the proposal through September 30th. However, if the original proposer, who is represented by Frank Nicori, agrees that he doesn't care whether it goes through September

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

25th or September 30th, then you could just run your motion as you currently have it. You could just re-vote, because there was a misunderstanding, and that would not be a problem. Then your record is clear, as long as you explain that there was a misunderstanding among the Council members. So if you want to vote on the motion that Mr. White moved for, that would be appropriate. But you could also still go back and adopt or present a motion on the original proposal through September 30th. What I'm trying to say is, you don't have to bring it back to September 25 if you don't want to. If you want to let it go through September 30th, you could do that, if you so choose. If you don't want to, then you could just leave the motion that Mr. White has presented and vote on that. Just re-vote on it. You don't have to go through September 30th first, not if you don't want to.

15

16 MR. WILDE: Yeah. And we don't have to go back
17 to September 30th, period, if we don't want?

18

19 MR. FROST: Correct.

20

21 MR. WILDE: Okay. (In Yup'ik) The main motion
22 was -- the motion was August 25 to September 25. If you're
23 against that, vote nay. Roll call vote.

24

25 MR. MANUMIK: Moses Nicolai?

26

27 MR. NICOLAI: Yes.

28

29 MR. MANUMIK: Paul John?

30

31 MR. JOHN: Yes.

32

33 MR. MANUMIK: Steven White?

34

35 MR. WHITE: Yes.

36

37 MR. MANUMIK: Henry Napoleon?

38

39 MR. NAPOLEON: Yes.

40

41 MR. MANUMIK: Chuck Chaliak is absent. Antone
42 Anvil?

43

44 MR. ANVIL: Yes.

45

46 MR. MANUMIK: Paul Manumik, yes. David O.
47 David?

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. DAVID: Yes.

MR. MANUMIK: Harry Wilde?

MR. WILDE: Yes.

MR. MANUMIK: Eight yes and one absent.

MR. WILDE: I explained the motion wrong way.

MR. MANUMIK: (In Yup'ik)

MR. WILDE: (In Yup'ik)

MR. MANUMIK: (In Yup'ik)

MR. WILDE: Joe Chief.

MR. CHIEF: I am Joseph Chief, Senior, of Bethel, speaking on behalf of all natives in Alaska on this subsistence issue and our traditional lifestyles.

We are totally against the proposed regulations of the Alaska Department of Fish and Game. We have lived on subsistence as our ancestors and their ancestors did, and we factually depend on our subsistence ways of living.

We are always told by our elders to respect our land and water by keeping it clean as our own plates. This is an example that our ancestors followed and practiced for many centuries. When we hunted and fished for subsistence use, we were told to take only what we needed and not to waste food resources. These are some of the traditional laws which we followed for many years.

We, the people of Alaska, do not need permits and/or licenses to hunt, because the land belongs to us as we live a subsistence lifestyle. We should keep it that way as long as the State and native traditional laws are equal.

On the sport hunting and fishing issues going on by people from either our State or by outsiders is totally unacceptable, because they're only wasting what we natives rely on for food ever since we can remember. Sport hunters take only animals' heads for their so-called prize game and get rid of the rest. Also, sport fishermen catch and let go of the fish which only causes them to die later even before they have spawned, which lessens the populations of fish all over.

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

The same goes with deep sea fishermen, by throwing out sea mammals -- throwing out sea mammals and fish they think they don't need. They're all dying off because of that.

3
4 All this should already be known to legislators, our ways of living. We're not against anyone, but all we want is our equality to -- of living our lifestyle and be able to pass it on to our next generations and their generations to follow.

8
9 We are born and raised here, and have time to -- time and time again brought up the facts about how we were told about subsistence way of life. When the red salmon run heavy, there are less chums in the rivers. This is what our ancestors have always told their generations after generations. It is something that should not be left unnoticed, but it has been by the game boards. Taking fish and processing it takes a lot of time and work to prepare for subsistence use. Another thing, when the humpies are heavy, silvers are less also.

18
19 I was told by my father, when subsistence fishing, do not take too much more than what you -- what can be eaten during the winter. Take only what you need.

22
23 From both the land and water we catch, we are not wasteful and do respect our food. Every fish we catch and take home, but these days more fish is washed up on beaches because of sport fishermen taking them back into the waters after their run and these fish are already dying and can't spawn. Koyana.

28
29 MR. WILDE: Koyana, Chief. Joe Chief is the oldest person now in this I suppose village and here, and the person -- the person that never have -- never go to school, how he could speak English like that, and today he would be a governor today if he had that kind of English, smart as he is. Smart as he is, if he'd been in school.

35
36 Next, I gave him this opportunity, because that you would hear from him, because we respect him from point of Council.

39
40 At this time, we're going to continue. Proposal 47. This proposal 47 is proposed by Yukon-Kuskokwim Delta Subsistence Hunting Association. Is there anyone here from Association, Yukon-Delta? If it's -- if it's not, there were talk about it yesterday. We want to get response from the State and Fed at this time. Randy, are you there?

46
47 MR. BRELSFORD: Mr. Chairman?

48
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: Yeah?

1
2 MR. BRELSFORD: Mr. Chairman, perhaps it would
Be helpful if we tried to provide some information to the
Council about the staff analysis that the Boards will read.

5
6 MR. WILDE: Uh-huh.

7
8 MR. BRELSFORD: I'm afraid that in the earlier
discussions some of the effort to talk about hunting traditions
from Kwethluk, these were not mentioned to you. Maybe you
didn't have the whole picture.

12
13 MR. WILDE: Uh-huh.

14
15 MR. BRELSFORD: And so perhaps we should try
and show you what the Board would see also. So

17
18 MR. WILDE: Yeah, if you make it short as
possible.

20
21 MR. BRELSFORD: I'll be very brief.

22
23 MR. WILDE: Short -- brief, some of us, we go
over that last night, you know, after meeting. And you go
ahead and you could

26
27 MR. BRELSFORD: Very well. Thank you very
much.

29
30 MR. WILDE: Uh-huh.

31
32 MR. BRELSFORD: As you know, for proposal 47
and 48, proposal number 48 has now been withdrawn,

34
35 MR. WILDE: Uh-huh. Yeah.

36
37 MR. BRELSFORD: pulled back, so our
concern is only on proposal number 47.

39
40 The simple question here is whether a wintertime
opening on moose in Unit 18 should be the same between the
State and Federal openings, and whether it should come only
during the period December 20 to January 20, okay? It would be
the opening, all land, December 20th to January 20th. That is
the proposal. Right now there's a difference on State land or
Federal land. This would push them together in December 20 to
January 20th.

48
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Our staff analysis said that if the moose populations are sufficient, we believed that the Federal Board asked for a winter opening with good travel weather, good travel conditions. And so far the Federal Board recognizes that traditionally people hunted all the way during the period up to February 28. The ten-day period could go all the way into -- it might come in February, as long as there's some good travel weather.

8

There are concerns about the moose population in Unit 18 and how much hunting should occur in the wintertime. And so we recognize that sometimes those openings could go together on state land, on federal land, one ten-day opening. But we believe that should be good -- that should be during a time with good travel conditions, so that people can go out.

15

The proposal -- the conclusion on page 30, down at the bottom, the bottom paragraph, about midway through, it says, "However, perhaps there are other mechanisms to regulate the harvest of moose population while affording a reasonable yearly harvest opportunity, for example, federal registration permits. In addition, further evaluation by the Yukon-Kuskokwim Council," by you, "is needed to characterize the significance of trade-offs between the proposed benefits and the potential loss of harvest opportunity."

25

What the staff is saying to the Board is we need your help figuring out the best way to keep the moose population good, at the same time that a winter hunt can go out, that people can have an effective winter hunting opportunity. This proposal would say one ten-day opening early in the winter, between December 20th and January 20th. Perhaps you guys have other ideas about winter hunting that would protect the moose at the same time it would allow people to go later in winter, January or February, in the seasons that are now on the federal regulations.

36

Let me summarize and finish. There are concerns about the strength of moose population in Unit 18. Second, the Board recognizes that people need hunting opportunities, and additionally have hunted in the wintertime, when the -- when the weather is good and they could travel. So the Board is trying to balance those. Protect the moose, have some winter hunting opportunity.

44

If you agree with this proposal, if you support this proposal, there would be the same season, ten-day season, on state land, federal land. It would be early, between December 20th and January 20th. If you believe that a winter opening

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

might have to come later, up until February 28th, then you would have to modify or give it a different idea from this proposal.

3

4 I hope I've been brief. I thank you very much.

5

6 MR. WILDE: It's -- I'm going to answer you. I think I'm going to respond to your -- this proposal. You and I, we don't speak the same. Okay? I'm going to respond that you will understand, and also this Board knows it already. We talked about it.

11

12 The respond I'm going to give to you, this opportunity proposal is a good opportunity. However, ten days are too short. Why? Why is too short for the winter hunt? Okay. The Lower Yukon/Lower Kuskokwim, they've got limited hunting areas. We can go -- we cannot go where we want to go, especially in the fall time. Upriver close to us, we cannot pay that much money down in -- from the Lower Kuskokwim up. And also that we don't -- there's not that many hunters in our area, just in Lower Kuskokwim and Lower Yukon in the wintertime.

21

22 And the date that you're talking about, that's too early. It is too dangerous, a lot of times, just like this year. That date from December 1 to February 29 is to -- December is too early. I think the people are rather to be out for subsistence hunting on the month of -- first -- the first month of February. And also, not the only one -- only that, we had some people that are talking, okay. In the bad wintertime, ten days is nothing, because we travel so much, and we cannot hunt where we want to -- where we want to hunt inside of ten days, and accomplish what we go after. That's my response from the Lower Yukon area. And I'm going to ask if these people here, if they have any response, the rest of the Council, from their area.

35

36 This is what I responded to that question, bringing information from my area. The rest of you, you know your area, you can have your own comments, if you have any. When they first started, state and federal,

40

41 INTERPRETER: He's repeating what he said concerning bad weather and ten days being too short.

43

44 MR. WILDE: Yes. (In Yup'ik) What you guys think of this proposal.

46

47 MR. NAPOLEON: Mr. Chairman?

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: Yeah?

1
2 MR. NAPOLEON: Mr. Chairman, if I don't choose
3 ten days, what would be an adequate number of days?

4
5 MR. WILDE: I don't know the area.
6

7 MR. NAPOLEON: Where I come from, because of,
8 you know, the unpredictation of weather, that ten days is too
9 short. I oppose this proposal.

10
11 MR. WILDE: When they first started, they both
12 had ten day, two different ten-day hunts. David O. David.

13
14 MR. DAVID: I'm scared of moose. I haven't --
15 haven't killed a moose ever since I was born, but those who
16 but those who hunt moose and they hunt game, they share with
17 us, but then even though I have moose meat, I get hungry right
18 away. These people who are experienced hunters know that ten
19 days are too short. These people are sitting here know for the
20 fact that these ten days are too short, because when the day is
21 beautiful, they just -- they just don't jump on a plane to go
22 get their game, and some day I know that when I finally go
23 hunting, I think I would kill -- I'll kill a moose, no matter
24 what kind it is, a cow or a bull. I'll kill one that has --
25 I'll kill a four-legged animal, because I don't know, I can't
26 tell the difference between a cow and -- a cow and a bull.
27 Some day I'll kill one, but if you -- and if you take me, -- if
28 you take me and put me in jail, you're going to have to -- you
29 can reimburse me for the money I used so I can buy meat with
30 the reimbursement I get from you. I don't like this proposal
31 47. I'm saying that ten days is too short.

32
33 MR. WILDE: Would it be better if we maybe --
34 we could draft a -- draft a proposal coming from us to
35 present to the state and the federal, if we can -- we don't
36 have to accept this if it's okay with you.

37
38 MR. DAVID: I so move.
39

40 MR. WILDE: David O. David moved to reject
41 proposal 47. And they will draft their own.

42
43 MR. JOHN: Second.

44
45 INTERPRETER: Seconded by Paul John.
46

47 MR. WILDE: Any discussions? Roll call vote.
48 This proposal, and that the Board is going to reject proposal
49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

47 and we will draft one according to the wishes of our people.

1

2 MR. ANVIL: Mr. Chairman, will there be a
3 conflict if we don't accept this proposal?

4

5 MR. WILDE: If we don't accept this, it will be
6 dissolved.

7

8 INTERPRETER: He's explaining -- he's

9

10 MR. WILDE: We the people that we'll bring our
11 proposal to regulate -- we will make our own proposal and
12 present it before

13

14 INTERPRETER: (In Yup'ik)

15

16 MR. WILDE: Whenever there is state and federal
17 people meeting, they will present the proposal.

18

19 MR. BRELSFORD: Alternative proposal, reject
20 this one and propose an alternative?

21

22 INTERPRETER: They're going to make one.

23

24 MR. BRELSFORD: For later?

25

26 INTERPRETER: Uh-huh. And they're going to
27 present it.

28

29 MR. MANUMIK: Mr. Chairman, (In Yup'ik)

30

31 MR. WILDE: (In Yup'ik)

32

33 MR. MANUMIK: Yeah. (In Yup'ik)

34

35 MR. WILDE: No.

36

37 INTERPRETER: Yeah.

38

39 MR. MANUMIK: (In Yup'ik)

40

41 MR. WILDE: Yeah. If we say yes, we will kill
42 this proposal. This proposal.

43

44 MR. ANDREW: (In Yup'ik)

45

46 MR. WILDE: (In Yup'ik)

47

48 MR. ANDREW: (In Yup'ik)

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: (In Yup'ik)

2
3 MR. ANDREW: (In Yup'ik)

4
5 MR. WILDE: (In Yup'ik)

6
7 MR. ANDREW: (In Yup'ik)

8
9 MR. WILDE: (In Yup'ik)

10
11 INTERPRETER: You know, -- excuse me.

12
13 MR. BRELSFORD: Since the State of Alaska can
14 only enforce a season according to their regulations, December
15 to January 20, it comes back to the same thing.

16
17 (Conversation among Council members in Yup'ik)

18
19 INTERPRETER: Is there a sergeant at arms
20 found here?

21
22 MR. WILDE: (In Yup'ik)

23
24 INTERPRETER: They are getting kind of confused
25 ward this proposal 47. They have already said that they want
26 get rid of proposal 47, and then there was a
27 understanding by John Andrew that if they say yes, that they
28 would accept proposal 47. Now they are voting that they are
29 going to get rid of proposal 47 and draft their own to present
30 -- at the federal meeting.

31
32 MR. MANUMIK: Moses Nicolai?

33
34 MR. NICOLAI: Yes.

35
36 MR. MANUMIK: Paul John?

37
38 MR. JOHN: Yes.

39
40 MR. MANUMIK: Steven White.

41
42 MR. WHITE: Yes.

43
44 MR. MANUMIK: Henry Napoleon?

45
46 MR. NAPOLEON: Yes.

47
48 MR. MANUMIK: Chuck Chaliak is absent. Antone

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

Anvil?

1

2

MR. ANVIL: Yes.

3

4

MR. MANUMIK: Paul Manumik, yes. David O.

David?

6

7

MR. DAVID: Yes.

8

9

MR. MANUMIK: Harry Wilde?

10

11

MR. WILDE: Yes.

12

13

MR. MANUMIK: Eight yes and one absent.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

INTERPRETER: Isn't that what he said, 48 has been withdrawn?

MR. BRELSFORD: Yes.

INTERPRETER: Yeah. 48 has been withdrawn. Yeah.

MR. ANVIL: Withdraw?

MR. WILDE: Put it on record showing that 48 was not discussed, because it was withdrawn earlier.

MR. JOHN: (In Yup'ik)

MR. WILDE: Paul John moved to put it on record that number 48 had been withdrawn.

MR. ANVIL: Second.

MR. WILDE: Second by Antone Anvil. (In Yup'ik) Paul?

MR. MANUMIK: Proposal 48?

MR. WILDE: Yeah, 48. (In Yup'ik)

MR. MANUMIK: (In Yup'ik)

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Yes vote is pointing that number 48
 2 had been withdrawn.
 3
 4 MR. MANUMIK: Moses Nicolai?
 5
 6 MR. NICOLAI: Yes.
 7
 8 MR. MANUMIK: Paul John?
 9
 10 MR. JOHN: Yes.
 11
 12 MR. MANUMIK: Steven White?
 13
 14 MR. WHITE: Yeah.
 15
 16 MR. MANUMIK: Henry Napoleon?
 17
 18 MR. NAPOLEON: Yes.
 19
 20 MR. MANUMIK: Chuck Chaliak is absent. Antone
 21 Anvil?
 22
 23 MR. ANVIL: Yes.
 24
 25 MR. MANUMIK: Paul Manumik, yes. David O.
 26 David?
 27
 28 MR. DAVID: Yes.
 29
 30 MR. MANUMIK: Harry Wilde?
 31
 32 MR. WILDE: Yes. Motion carried, we just not
 33 support it. We're going to have ten minutes break.
 34
 35 (Off record)
 36
 37 (On record)
 38
 39 MR. WILDE: We're going to go back now. We're
 40 one with 48, because of the withdraw. The only thing can be
 41 changed on proposal 49, we've already discussed it, and the --
 42 the change has already been made that instead of putting a
 43 number there, they wanted no limit on this proposal submitted
 44 by Y-K Delta Subsistence Hunters Association. An open season
 45 from August 10 to April 30. The only thing that can be that we
 46 have come up with prior to this was that no limit.
 47
 48 MR. ANDREW: It was already -- it had already
 49
 50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501

been discussed on proposal number 2.

1

2

MR. ANVIL: I so move that we remove the limit
to no limit on proposal number 49.

4

5

MR. WILDE: (In Yup'ik)

6

7

MR. JOHN: Second.

8

9

MR. WILDE: Seconded by Paul John.

10

11

MR. WHITE: Question.

12

13

MR. WILDE: Motion came out to accept proposal
number 49 except instead of putting a limit for five wolves,
put no limit there.

16

17

MR. MANUMIK: (In Yup'ik)

18

19

MR. WILDE: Paul John. Motion made by Antone
Anvil, seconded by Paul John. Discussion?

21

22

MR. WHITE: Question.

23

24

INTERPRETER: Question by Steve White.

25

26

MR. WILDE: Question. Roll call.

27

28

INTERPRETER: Roll call vote.

29

30

MR. MANUMIK: Moses Nicolai?

31

32

MR. NICOLAI: Yes.

33

34

MR. MANUMIK: Paul John?

35

36

MR. JOHN: Yes.

37

38

MR. MANUMIK: Steven White?

39

40

MR. WHITE: Yeah.

41

42

MR. MANUMIK: Henry Napoleon?

43

44

MR. NAPOLEON: Yes.

45

46

47

48

49

50

MR. MANUMIK: Chuck Chaliak is absent. Antone
Anvil?

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. ANVIL: Yes.

1
2 MR. MANUMIK: Paul Manumik, yes. David O.
David? Absent. Henry Napoleon -- I mean, Harry Wilde?

4
5 MR. WILDE: Yes.

6
7 MR. MANUMIK: David O. David, absent.

8
9 MR. WILDE: We support this proposal, but no
numbers. We -- limit, no limit on catch. This motion carried.

11
12 Next is proposal 50, ptarmigan. Before we go into this
ptarmigan, I'm going to ask our elders, (In Yup'ik) I want you
to -- I brought you up here to make presentation on -- to make
presentation on subsistence lifestyle. We have a translator
and you can state your name. If you want to sit down,

17
18 MR. AKCHAK: My name is Maxie Akchak. That is
my name. I was born and raised in this Kuskokwim area. I'm
originally from Kuskokwim. Then comes a time when I started
hunting. And then I travelled. I travelled in the ocean, in
the bay, between here and the Yukon. Then as I came along. We
the people of this land, our ancestors, it has been our
additional lifestyle to live off the land. We respected it,
toward the care of catching the food, and we respected our land
(ph). We did not violate it, but we live off of it. We
respected the resources of the land, of the sea, and of the
undra, and the fish that are swimming in the river. We
respected those, because those were passed down from our
ancestors, telling us to take care of them. And we moved
without -- we did not waste nor messing (ph) with.

32
33 When the couples (ph) foresee -- or when they catch a
game, they know when it was abundant. They did not waste. And
when they catch fish, they know, the couple would know that it
was time to quit catching. They had their limit. And always
it has always been like that.

38
39 And all these people that are around, and that make a
living, and those people that came up from different regions,
they accepted and help each other. They help each other,
regardless of where they came from. And also they had
potlatches, having dances, and they gather -- when they
gathered together, they would bring other food from other
villages, getting together, having potlatches and dancing, and
helping, and taking care of the elders, the orphans, and
helping those, and people giving them food and what they need.
And they are very thankful, the old women and men, they just

49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

say, "don't worry about it." It's more abundant, food is going to come to you.

2

3 Therefore, it -- there is a saying that there should not be any wasting in this land, and now -- and then the white man came along. They tried to -- they tried to control the land, saying that they should not be wasteful. And through these schools, and they teach them that -- how the land should be taken care of. And they teach them to respect that, so they can use it as a tool. And now the -- the original lifestyle which had been handed down need not be changed, which is to show respect to all the living things, whether they are on land or sea. I'm real thankful for that.

13

14 I know our other people, yes, that there are people who isolated, and they were -- they used to sit them down and talk to them what is -- what they're going to become if they don't listen or show respect to other people.

18

19 I'm thankful for the time that you have given me to express myself and pass down the knowledge that I have, therefore I will -- I want to express this. Yes, people who come from down in the States or somewhere, I guess they really can't understand us. Yes, and we, the people who are here, even if they talk to us, it's like we can't even understand them either. Yes, they would look at each other and say, "I don't understand you," and vice versa. They can't seem to understand each other. And nowadays I think we're beginning to understand each other, whether

29

30 Also, we should begin to realize, we should become united in working out these issues. Therefore, we've -- I am thankful when I see people begin to realize that they are to come into one mind and talk these issues out. Thank you.

34

35 MR. WILDE: Koyana. He's over 80 years old, that old man, and we respect him, the way he talks to us. They give us a lot of things to think about.

38

39 Next on our business is proposal 50, ptarmigan. They told us that -- they told us yesterday that proposal 50 is withdrawn. And, you, Board members, if you so move not to work with this, reject this, because it was already withdrawn, and accept it as it.

44

45 MR. WHITE: (In Yup'ik) proposal number 50.

46

47 MR. WILDE: Yeah, Steven White (In Yup'ik)

48

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. NICOLAI: Second.

MR. WILDE: Seconded by Moses Nicolai.

INTERPRETER: Steven White moved, seconded by Moses Nicolai.

MR. WILDE: (In Yup'ik) All who favor taking no action say aye.

ALL: Aye.

MR. FROST: Mr. Chairman, I just had one point to make. I know that you've just voted. The problem is although the individual told you yesterday he would withdraw this, there's a chance that he may not, because it hasn't been withdrawn with the Board yet. So what could happen is it could stay without being withdrawn, and if this Council takes no action, then the Board would be left with a proposal without action by the Board. So I think that it might be advisable for you to take some action on it, until or in the absence of the letter to withdraw. Now, you could depend upon the statements that were made, and it may in fact be that he intends to withdraw. But if he fails to do that, and doesn't get the letter written, then it's not withdrawn. Okay?

MR. WILDE: Well, you area lawyer, and he put himself on record that he pulled it out.

MR. FROST: Okay.

MR. WILDE: And we go with that, because we cannot do everything that what you want. We know some -- we know a little bit about the law, too, ourself. Because it was on the record already that he said he pulled it out, we believe that he pulled it out.

MR. FROST: Okay.

MR. WILDE: That's why we voted on.

INTERPRETER: And he said that it was on the record yesterday, because the person said he withdrew it, and it was already on record. And that's what they're voting on. He's explaining to them that it was already recorded, and it's already in minutes, and these people should -- the people sitting there should, you know, be careful on observing what the minutes contain.

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

MR. WILDE: We are on the recommendation made by AVCP, and there will be comments from state and the federal after the AVCP makes their presentation. And after comments are heard, we will move to what we are going to do with it.

4

MR. ROCZICKI: Yeah, Mr. Chairman, as I understand it, this was presented to you yesterday, and does everyone have a copy of the?

8

MR. WILDE: It was -- it was presented to us, but we didn't put it on the record.

11

MR. ROCZICKI: Okay. I do have extra copies here for anyone who hasn't received one yet.

14

MR. WILDE: To put that on the record, we were working on it at executive board to make sure that -- before we present it to other parties, that we make sure that it's okay with the Board to present it to other entities.

19

MR. ROCZICKI: Mr. Chairman, as I'm sure you're aware, that since the collaring project which the state and federal managers have pursued starting last year, has caused quite a bit of controversy in some of the villages, especially regarding the customary and traditional respect which people have for those populations. Perhaps in the interest of time, rather than read through the whole list outlining all of those problems, which have been placed on the record in prior meetings, I'll just go right into the recommendations and read those off that we are requesting for this Council to take action.

31

Our first recommendation is number one, that the Fish and Wildlife Service and the Department of Fish and Game should provide the Regional Council and the Western Alaska Brown Bear Management Area Co-management Planning Group with all relevant information regarding the collaring plan on brown bears. The information provided should include, but not be limited to: detailed analysis of future collaring plans; data and analysis of the status of the current brown bear population and the effect of current subsistence uses on the population (this analysis should include the data gathered in the Fish and Wildlife-AVCP project and an explanation of its use in the analysis); all information regarding the drug telazol and its possible effects on subsistence users and bears; information regarding the possibility of increased aggression or hostility of the bear population as a result of the collaring project; a thorough discussion of possible less intrusive alternative methods of collecting desired population data, including

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

incorporating the current and traditional knowledge of subsistence users in research methods. And this information should be provided as soon as possible.

3

4 Number two, that the Western Alaska Brown Bear Management Area Co-Management Planning Group should meet no later than mid April to discuss possible ways of resolving the problems with the current collaring project. The information requested above should be provided well in advance of this meeting so that the discussions can incorporate this information. All parties should come with proposals for discussion. The Regional Council will appoint a council member to attend this meeting. As soon as possible after this meeting the Regional Council will meet, telephonically, if necessary, and make a further recommendation on this issue. If necessary, the Council will urge -- will urge the Federal Subsistence Board and the Secretary of the Interior to take immediate action on its proposal.

18

19 Number three, given the potential impacts and valid concerns which have been raised by subsistence users the Fish and Wildlife Service should prepare an 810 analysis and an environmental assessment of the collaring project.

23

24 Number four, the Fish and Wildlife Service and the Department of Fish and Game should immediately halt all planning and preparation for any further collaring of brown bears until after the Western Alaska Brown Bear Management Area co-management meeting and the Regional Council recommendations which will follow that meeting. The time frame outlined above should allow the Fish and Wildlife Service and the Department of Fish and Game time to implement the current collaring plan by June, after the subsistence season, if the Council recommends in favor of continuing the current project.

34

35 And, number five, that all future population survey projects and other plans or projects which affect subsistence uses in the region should be the product of extensive cooperation with subsistence users, especially of co-management groups.

40

41 And maybe just to add onto that, we're in the final stages of developing our cooperative co-management program with Fish and Wildlife Service, and within that, we do have funding designated to sponsor another meeting of the -- of the area villages which are within the boundaries of the Western Alaska Brown Bear Management Area, and at this time, I -- just off the top of my head, I haven't set a definite date, but I would expect we'd probably look to have a meeting somewhere in late

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

March, perhaps after the Board of Fisheries, and prior to the Federal Subsistence Board meeting.

2

3

MR. WILDE: That's it. May we have a response from the state or fed?

5

6

MR. MORGART: Mr. Morgart, I could address a couple -- a couple of things there. This is fine as Greg has written it as far as submitting for your consideration.

9

10

As regards to point number one, we have -- we have provided AVCP and Kwethluk in the past study plans and all of our plans for the next -- this is a six-year study, so that they do have that information, which includes all of the future collaring plans. We are in the process of preparing and completing a summary of last year's collaring operation, and as soon as that's available, we will make that available to anyone and everyone who wants it. Let's see. Certainly as we gather the data and we -- and we have enough of it, and we can perform the various analyses that can be made, that information is available to each -- to each and every one. There's no intent to keep that to ourselves or anything else, but anyone interested is certainly -- certainly has access to the -- to the information as it's prepared. Let's see.

24

25

In regards to item number three there, one thing to set to kind of set the record straight, we keep hearing that no environmental assessment of the collaring project has been prepared, and from the standpoint of specific to that collaring project, that is true. However, an environmental impact statement, which is a much larger detailed process than simply an environmental assessment, has been prepared for the Yukon Delta National Wildlife Refuge in the form of the 1988 comprehensive conservation plan, which included a large environmental impact statement which, just to summarize, says that collection data necessary for refuge management decisions, to further science is authorized. Priority will be given to given to studies that contribute to the conservation and management of native fish and wildlife populations and their habitats. Studies may be conducted by the Service or by other researchers under Service guidance and/or consent. These kinds of studies will be routinely practiced. In that coop- in that comprehensive conservation plan, on page 306, it specifically states that a population survey of grizzly bears is identified as a proposed future action.

45

46

In regards to point number five, as far as meeting or cooperating on action such as the bear study that affects subsistence users, I believe we've had a very high success rate

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

for -- or we've been very -- we've been very conscientious about that. And I would disagree that there hasn't been a lot of discussion as regards this air study. We have some documentation or documented records of discussions going back a year and a half or more prior to the initiation of the survey.

5

6 I will -- I think it's unfortunate that -- I have a lot of respect, and I think Kwethluk has kind of led the charge in this, and I have a lot of respect for Mr. Frank Nicori and Moses Nicolai and some of the other folks from Kwethluk and I know that they're personally against this project, but I believe our goals and objectives are the same. We want to see a continuing healthy bear population. We want to -- we want to continue to see the people have access and the ability to take those bears as they have for a long time. And the bottom line is we worked hard and long and searched our souls, and this is the only reasonable approach to getting the kind of information we need to manage this bear population to insure that we continue to have bears in that area. Thank you, Mr. Chairman, and I'll turn it over to Randy Kacyon, if he has anything to say.

21

22 MR. KACYON: I guess I just agree with what John said. I -- what Greg has written -- or AVCP has written on the page, on the second page of this I guess, I don't really have a problem with.

26

27 What I have a problem with, I guess, is on the first page. They mention the fact that we failed to attempt to involve subsistence users. I've been involved in discussing this Western Alaska Brown Bear Management Area since as early as June of '91 with not just Kwethluk and AVCP, but many other villages. At that time, we were thinking about doing a brown bear research project, but it wasn't in any kind of final format. We didn't even know if it would be funded until January of '93. And so there was no way for us to relay this information to some of the -- to some of the villages and whatnot, because of the short time frame between the time we got the funding and the time we had to start the project.

39

40 This research project has been presented several times at Lower Kuskokwim advisory committee meetings, Central Bering Sea Advisory Committee meetings, Western Regional Council. I think when we presented it at the Western Regional Council in 1992, Paul Manumik was the acting chair at that time, because Harry was out of town, but I think Ron Perry gave the presentation, the former refuge manager. And so I think people were involved somewhat, at least hearing what we were planning to do. And so I guess I just disagree with that part of the

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

recommendation. Is that it says "ADF&G and Fish and Wildlife failed to adequately consider other input." We did ask for input in this bear collaring project.

3

4 MR. WILDE: I think we talked about this a little bit on our Council side. If we're going to -- if we're going to support this or not, we'd like to include moose collar also, not only the bear. That was recommended from the Board, rest of the Board.

9

10 And also just because of this is just a recommendation, I think this recommendation will help you people work together, if we approve it. Support it. It's just a recommendation now. It's not a positive it's going -- this one is going to become it be like this, but that the way it is, it is just a recommendation. It will help you guys, and it's been working before. Federal and State and the rest of the user groups, that you guys will -- whoever that are involved in this one, you guys will work together. And you guys could iron out if this recommendation is approved by the Board, that's the way that we're going to look at it. To working for you to -- closer, whatever.

22

23 You guys could learn more about the collaring business, if there's a problem for subsistence use and all that stuff, and -- because all these -- we were talking about it all these things that -- like you have to give them sort of all that stuff. Is that good for subsistence user or not, and all this has to become find out, and I think this have to be worked out more, and this Board have to understand more. However, for this condition, that you guys work on it, and working together, work more closer, work more together, and it should be some different kind of a form -- formula (ph) should be presented to us, even though we approve this recommendation.

34

35 Yesterday we got into these recommendations. This is not a final decision. It's just a recommendation of how we should work on such projects, and I say this toward the U.S. Fish and Wildlife and ADF&G that they should work closer together.

40

41 Do you have any comments towards this? If you have anything to say, one of you will have to move that -- if you vote to approve this recommendation, then you can vote yes.

44

45 MR. ANVIL: (In Yup'ik)

46

47 MR. WILDE: Antone Anvil moved to approve the recommendations stated on page two, one through five.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. NAPOLEON: Second.
2
3 MR. WILDE: Seconded by Henry Napoleon. Roll
4 all vote. All approve say aye, opposed, nay.
5
6 MR. MANUMIK: Moses Nicolai?
7
8 MR. NICOLAI: Yes.
9
10 MR. MANUMIK: Paul John?
11
12 MR. JOHN: Yes.
13
14 MR. MANUMIK: Steven White?
15
16 MR. WHITE: Yes.
17
18 MR. MANUMIK: Henry Napoleon?
19
20 MR. NAPOLEON: Yes.
21
22 MR. MANUMIK: Chuck Chaliak is absent. Antone
23 Anvil?
24
25 MR. ANVIL: Yes.
26
27 MR. MANUMIK: Paul Manumik, yes. David O.
28 David is absent. Harry Wilde?
29
30 MR. WILDE: Yes.
31
32 MR. MANUMIK: Six yes, two absent. No. Seven
33 yes, and two absent.
34
35 MR. WILDE: So I want to make you guys
36 understand now that -- the reason that we approved this
37 recommendation. I know that there is something different -- a
38 different thing will come up and you guys will -- this is just
39 a recommendation, and you guys will -- I know that you guys
40 will work more on it and hopefully next time it would be
41 different and something that we could vote on and all that
42 stuff. Okay.
43
44 Next on our agenda is establish date and location of
45 next meeting. I'd like to invite the Council of Subsistence
46 Regional Council, because we represent the Lower Yukon and
47 Kuskokwim, we would like to invite the people, Council here to
48 Mary's our next meeting. Call of the chair. At
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

St. Mary's.

1

2

MR. ANDREW: Mr. Chairman, (in Yup'ik)

3

4

MR. WILDE: (In Yup'ik)

5

6

MR. ANDREW: (In Yup'ik) Mr. Chairman, before you set the date for the next meeting, was that you have given us for public comments.

9

10

MR. WILDE: That's no one has approved the next meeting. It still stand. And I was -- I recommend now is someone that -- open for public -- if someone want to talk about subsistence, however, our time is getting short for some of the people that need to travel and all that.

15

16

MR. JOHN: (In Yup'ik)

17

18

MR. ANDREW: There's nobody responding to the public comments. Leave there for now.

20

21

I brought this up for the date of -- date and place of next meeting. I have brought up that -- the meeting should be at St. Mary's, so I need -- I need for you to vote on a place and date of next meeting.

25

26

INTERPRETER: Nobody wants to go to St. Mary's?

27

28

MR. NAPOLEON: I make a motion that we vote -- that we accept the date and location of the next meeting be at St. Mary's.

31

32

MR. WILDE: (In Yup'ik)

33

34

MR. ANVIL: Yes, I second it.

35

36

MR. WILDE: Second by Antone Anvil.

37

38

INTERPRETER: Henry so moved, seconded by Antone Anvil.

40

41

MR. WILDE: Discussion?

42

43

MR. NICOLAI: Question.

44

45

MR. WILDE: The question's been called for. All who favor it say aye?

47

48

ALL: Aye.

49

50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

1 MR. WILDE: Opposed say no? I'll say no
2 (laughs). I don't know when, but I think the call of our
3 Chair. We could -- we'll get that done. Our coordinator here
4 will give us when and all that.

5
6 MR. ANDREW: Whenever you want to. When it's
7 time to work on -- when it's time to work on the issues.

8
9 MR. WILDE: Don't forget to work on that
10 proposal we have to work on on that ten-day hunting and it will
11 be on our agenda here at the next meeting whether it will be
12 approved -- whether it will be approved or not.

13
14 (Benediction given by Harry Wilde)

15
16 MR. WHITE: Mr. Chairman, move to adjourn.

17
18 MR. WILDE: (In Yup'ik)

19
20 MR. MANUMIK: Yeah, call of the chair.

21
22 MR. WILDE: Yeah, okay. All who favor it, say
23 aye?

24
25 ALL: Aye.

26
27 MR. WILDE: Oppose? Motion carried.

28
29 (Off record) 3:55 p.m.

30
31 (END OF PROCEEDINGS)

32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

R & R COURT REPORTERS

810 N STREET
277-0572
Fax 274-8982

1007 WEST THIRD AVENUE
272-7515

ANCHORAGE, ALASKA 99501

C E R T I F I C A T E

1
 2 UNITED STATES OF AMERICA)
 3) ss.
 4 STATE OF ALASKA)
 5

6 I, Meredith L. Downing, Notary Public in and for the
 7 State of Alaska and Reporter for R & R Court Reporters, Inc.,
 8 do hereby certify:
 9

10 THAT the foregoing pages numbered 69 through 141
 11 contain a full, true and correct Transcript of the Yukon-
 12 Kuskokwim Delta Alaska Subsistence Regional Advisory Council
 13 meeting taken electronically by me on the 27th day of January,
 14 1994, beginning at the hour of 9:30 o'clock a.m. at the KVNA
 15 Building, Bethel, Alaska;
 16

17 THAT the transcript is a true and correct transcript
 18 requested to be transcribed and thereafter transcribed by me
 19 to the best of my knowledge and ability;
 20

21 THAT I am not an employee, attorney, or party
 22 interested in any way in this action.
 23

24 DATED at Anchorage, Alaska, this 3rd day of February,
 25 1994.
 26
 27
 28
 29

 Notary Public in and for Alaska
 My Commission Expires: 7/3/94

30
 31
 32
 33 **S E A L**
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50

R & R COURT REPORTERS

810 N STREET
 277-0572
 Fax 274-8982

1007 WEST THIRD AVENUE
 272-7515

ANCHORAGE, ALASKA 99501